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## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, December 14, 2020, at 1:30 p.m.

## Senate

FRIDAY, DECEMBER 11, 2020

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, our hope for the years to come, we come to You with a tangled mass of motives, seeking, through prayer, to make sense of life.

Guide our lawmakers as they seek to unravel the good from the bad, the sweet from the bitter, and the harmony from the discord. Teach them how to seek and find You during this challenging season of our national life.

Lord, give them calm strength and patient wisdom to do what is best for our Nation and world. Vanquish the darkness through the power of Your celestial brightness. Turn Your face toward us, and show us Your glory.

We pray in Your sovereign Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TRIBUTE TO RAJA CHARI

Mr. GRASSLEY. Mr. President, I speak about Iowans who are well noted for things wherever they live in Iowa, but I am particularly proud to speak about a person from Cedar Falls, IA, a town I know well because I have lived my entire 87 years on a farm 8 miles from Cedar Falls.

This week, NASA announced that Raja Chari from Cedar Falls, IA, has been selected for a team of astronauts that will go to the Moon as part of the Artemis mission.

The Artemis mission will land astronauts on the Moon in the year 2024, with the goal of establishing a long-term presence. Raja Chari will be a part of this effort that will ensure America's continued leadership and preeminence in space.

I congratulate Raja on his accomplishments and wish him and all the astronauts who are part of this mission great success.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Mr. President, the Senate needs to pass a stopgap funding measure today to prevent a lapse while the bipartisan, bicameral efforts close in on a full-year funding bill, and we need to advance what will be the 60th annual Defense authorization bill.

This year's NDAA will cement the historic steps that Congress and the Trump administration have taken over the past 4 years to rebuild and reequip a 21st century fighting force. It directs investments in technologies to maintain our strategic edge. It makes critical supply chains more secure and the Pentagon more accountable. And in the face of threats ranging from adversaries to this pandemic, it expands efforts to keep our men and women in uniform safe.

I remain hopeful that essential progress on these items will continue. We ought to pass a full-year funding measure, and I hope our committees in the Senate and the House can complete their work and deliver legislation next week.

### CORONAVIRUS

Mr. McCONNELL. Mr. President, that said, we know the American people's eyes are trained on the Capitol for another reason as well. Struggling families, exhausted health workers, and anxious small business owners are waiting—waiting—for the Senate to do what I have tried to accomplish over and over for months: Pass a significant, targeted COVID-relief bill built on all the areas where bipartisan consensus already exists.

We know what that common ground looks like: a new second round of the Paycheck Protection Program so hard-hit small businesses can keep paying their people, the necessary investments in distribution to get lifesaving vaccines out to our people, and an extension of some unemployment programs

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that will otherwise expire in just a matter of days.

Republicans have been crystal clear about the sort of urgent and unobjectionable relief we are ready to deliver. I even offered to temporarily set aside one of our side's major requests, commonsense legal protections—by the way, 6,500 lawsuits have already been filed—to set aside commonsense legal protections to aid the reopening if Democrats drop their own controversial outstanding demands. But day after day, the Democratic leader finds new reasons not to compromise, new ways to avoid taking yes for an answer.

In what universe should emergency aid for small businesses be contingent—contingent—on massive bailouts for State governments with no linkage to actual needs? Democrats are acting like it is more important to supply the Governor of California with a special slush fund than to help restaurant workers in California keep their jobs. Oh, and, by the way, these demands for State and local government giveaways are blocking urgent aid for struggling families at a time when many States' tax revenues have largely gone up—up.

In November, California admitted their tax revenue for this fiscal year was running about 19 percent ahead of what they had predicted. The Governor said earlier this week that he foresees a tax windfall—windfall—not a horrible budget crunch, but a windfall of nearly \$16 billion.

State lawmakers are preparing to argue over where to put all this unexpected tax money. According to the L.A. Times, they are considering topping up the State's cash reserves. They aren't just getting by; they are putting more money away.

Here is another headline from a few days back—a State the occupant of the Chair is familiar with—"Massachusetts tax revenue[s] eclipsed total for last November despite COVID-driven recession." This is another State where revenues are actually up over last year.

Whatever future problems Democrats may think they see around the corner, it is preposterous to claim that these blue States that are bragging about their tax windfalls must receive another Federal handout right this instant, before working families can get a penny more.

Small businesses need saving right now. Unemployed people need relief extended right now. Vaccine distribution networks need funding right now. None of that should be held hostage over intergovernmental bailouts for States that are currently raking in revenue faster than they can spend it.

Yet the Speaker and the Democratic leader have persuaded their entire conference that nothing should pass unless the Governors of California and New York get to cut the line and jump in front of millions of Americans who are trying to figure out how to pay their bills each and every month.

Then there is Democrats' apparently strong opposition to enacting any kind

of legal protections to aid the reopening. Targeted, temporary liability reforms are a common feature of national emergencies or strange events, such as the Y2K mess and September 11. This is not some new concoction; it is what Congress has done in the past.

But this time, Democrats say the trial lawyers' interests must come first. They are threatening to kill any compromise whatsoever unless Congress leaves small businesses, universities, and healthcare workers as sitting ducks—sitting ducks—for frivolous lawsuits.

My colleagues across the aisle want to present this stance as some bold crusade against evil corporations? Well, for one thing, it is the big corporations who can afford the massive legal departments. Lawsuits are not exactly alien from the perspective of the Fortune 100.

No, it is small business advocates who have been pleading with Congress to pass legal protection since last May. It has been college presidents and higher education experts who have sounded this alarm the whole time. About 7 in 10 small business owners said a second pandemic of lawsuits was a major concern. University administrators told us liability is "a national problem requiring a national solution" that could produce "a chilling effect" on American education if not addressed. But Democrats are threatening to walk away altogether if Republicans try to give these institutions what they need.

So look, a legislator's true position lies in what they do, not what they say. What Republicans have done since July is make one attempt after another to generate a consensus package that can actually be signed into law.

What Senate Democrats have done is recite an endless—endless—chain of changing stories about why nothing that anyone proposes is any good. If my friends actually oppose PPP funding, vaccine distribution money, or extending some expiring unemployment aid, let's hear why. But if they do not oppose these things, let's get them out the door.

I have proposed setting aside both liability protections and State and local bailouts and making law where we can agree. Democrats have thus far declined, but at the same time, they are blocking an agreement on these issues. So unless something changes, they will get to explain to a restaurant owner that Democrats didn't let her get a second PPP loan to save her business because her Governor needed a special slush fund or explain to a laid-off worker that his relief program may expire completely because Democrats didn't feel it was urgent or explain to an older couple, who have hunkered down and survived this long year, that their vaccines will arrive later than necessary because Democrats wouldn't let us fund distribution.

If my Democratic friends don't want to explain these inexplicable things, then they need to let us act now.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 931.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

### CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Mitch McConnell, James E. Risch, Mike Crapo, Roy Blunt, Shelley Moore Capito, Tom Cotton, John Cornyn, Chuck Grassley, Thom Tillis, Richard Burr, Pat Roberts, Cory Gardner, Lindsey Graham, Todd Young, Marco Rubio, John Boozman, John Barrasso.

## LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 932.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Katherine A. Crytzer, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

### CLOTURE MOTION

Mr. McCONNELL. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Katherine A. Crytzer, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Mitch McConnell, James E. Risch, Mike Crapo, Roy Blunt, Shelley Moore Capito, Tom Cotton, John Cornyn, Chuck Grassley, Thom Tillis, Richard Burr, Pat Roberts, Cory Gardner, Lindsey Graham, Todd Young, Marco Rubio, John Boozman, John Barrasso.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PAUL). Without objection, it is so ordered.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. INHOFE. Mr. President, it is my understanding that the minority leader was going to be here, but we are getting very close to the time we actually cast our vote at 10:30—just 20 more minutes. In the event that the minority leader comes, I will dispense with my remarks and defer to him.

It is my honor to present the 60th annual National Defense Authorization Act. For 59 straight years—you can't say this about any other piece of legislation, all year or anytime, except the Defense authorization bill—we have passed this bill. We have passed this bill every year for 59 years, and this will be 60 years, and I anticipate that we will pass it now.

There isn't much that happens around the Capitol that has a track record like that. Maybe I am biased, and maybe in some people's minds I am wrong, but I think this is the most important bill of the year. I really believe that. I have believed that since 1987, and this is something that we have to do.

There is an old document nobody reads anymore called the Constitution. In there it tells us what we need to be doing, and that is exactly what we are going to be doing today: providing for our defense.

So it is simple what this bill does. It makes our country more secure. It supports our troops who defend it.

Right now this couldn't be more important. As President Trump's national defense strategy tells us, we are up against the most serious threats we have seen maybe forever. This is coming from China and Russia, these countries who stand against everything America stands for.

It bothers me that we went through the last 5 years of the Obama administration—that would have been from 2010 through 2015—where he criticized the military. We didn't have to have the military, he felt.

At this time, I would suspend with my remarks.

Mr. SCHUMER. You keep going for 2 minutes. I will let you know.

Mr. INHOFE. Let me know, and I will be glad to suspend.

Mr. SCHUMER. Thank you.

Mr. INHOFE. Anyway, during that time, during the Obama administration, during those 5 years, he reduced the funding for the military by 25 percent. Now, this has not happened, in my memory. It hasn't happened since World War II that we have gone through a 5-year period of doing that.

And the tragedy is that during that same time, China was increasing theirs by 83 percent. Stop and think about that—83 percent—when you realize that we were reducing our expenditures by 25 percent while they are increasing theirs by 83 percent. Now, that is serious enough, and that is something that is very much a concern to many of us.

So we know that they were increasing, we were decreasing, and, as a result, things happened. There are some things that they did—hypersonics, for example. That is one of the most recent exercises that is out there. They are actually, today, as we speak—they are ahead of us. Both China and Russia are ahead of the United States of America in hypersonics and that type of technology that is out there.

This President came along—and I know there is a lot of controversy about this bill. I know that the President wanted to have something in there that was having to do with language that had nothing to do with the military. I agree wholeheartedly with him, but you can't. You have got to have a defense authorization bill. Our kids in the field demand it.

With the NDAA, we are implementing the policies and programs to make sure that this doesn't happen, to ensure that America is able to prevent and, if necessary, win wars of today and tomorrow.

At this point, I would like to defer to the minority leader, and I do ask unanimous consent that at the conclusion of his remarks that I be recognized to make my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, first, I want to thank the Senator from Oklahoma for, as usual, his courtesy, which I very much appreciate.

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, the CARES Act passed the Senate on

March 27, 2020. It was a rare moment in bipartisanship—a legislative triumph that saved our country from disaster in the very early days of the pandemic. As you know, I sat and negotiated a great deal of that with Secretary of State Mnuchin. And we all agreed it did a lot of good—a lot of good. But, unfortunately, for the past 259 days, as the virus continued to spread—when we did the CARES Act, we thought, well, maybe COVID will be over by the summer. Everyone thought that, but obviously it wasn't. And so the virus has continued to spread. Thousands of small businesses have closed their doors for good. Tens of millions of Americans lost their jobs and livelihoods. As American families waited in 21st century bread lines, cars snaking for miles down American highways; as tens of millions of Americans fell behind on the rent and the mortgage and face eviction; as 15 million Americans got sick; and as 292,001 Americans died, the Senate Republican majority, led by the majority leader, made sure the Senate could not do anything of significance to help the American people.

May, June, July, August—pause; we don't need to do anything, said the leader. Let's wait and see what happens. Democrats didn't say that. The leader did. Waited and waited and waited. Now it is December, and we still, because of the leader's intransigence, have nothing of significance to help the American people during the worst economic crisis in 75 years and the greatest public health crisis in a century.

Why? Why can't we get together? Why can't there be the bipartisanship that Americans search for and yearn for? At a time of such great crisis, there is one reason why America's two major parties have not gotten together during the time of acute national emergency, and that is because the Republican leader has demanded a partisan poison pill—a sweeping corporate liability shield—be included in any legislation. Otherwise, he won't let it pass.

It sounds like an exaggeration, but that is what the leader has said. "We're not negotiating over liability protection," the leader said, on July 28.

I'll be responsible for putting the final agreement on the floor. And as I said, it will have liability protection in it. We're not negotiating with the Democrats over that.

That is the fact. That is the history. There is not equality here.

Finally, yesterday, as the bipartisan group of Senators and House Members were closing in on a final agreement, what happened? Yesterday, the Republican leader's team told the other congressional leaders that the bipartisan group would be unable to satisfy Senate Republicans. Why? Because it might not grant the exact sweeping liability protections for corporations that Leader McConnell has demanded. It is an unconscionable position. No relief for the American people unless corporations receive blanket immunity from lawsuits.

That particular poison pill that has foiled bipartisan agreement for more than 8 months is the nub of the problem. If we could just get past that, if the Republican leader would only back off maximalist demands on corporate immunity, we could get something done. I mean it. We could actually get something done.

Now, I know the Republican leader will say: Wait a minute, Democrats have partisan demands of their own, like providing assistance to save State and local services. But to equate State and local aid—money for policemen and firefighters, busdrivers, sanitation workers—to complete corporate immunity is a false equivalence. We know the two policies are not equivalent.

First of all, there is broad bipartisan support for State and local aid. It is not a Democratic demand. Many Republicans support it too. There are bipartisan bills on the floor of the Senate demanding \$500 billion in aid for the States. There are Governors—Democrats and Republicans—sending letters to all of us saying we need money; we need help. But the leader's corporate immunity provision doesn't have the support of a Democrat. Not a single person voted for it. It is expressly partisan. There is not equivalence.

I know the media likes to say, on the one hand, on the other. There is not equivalence here. One is helping people who desperately need help. The other is a partisan demand that has been around for a long time that simply does not get bipartisan support.

State and local aid is a solution to a real and urgent problem. Corporate immunity from lawsuits is not. They are not equivalent. State and local budgets are deeply in the red. Since the beginning of the pandemic, State and municipalities have laid off 1.3 million public employees—firefighters, police, first responders, teachers. We are talking about jobs—jobs—in red States as well as blue States.

The leader likes to cite one statistic about tax revenue in one blue State to argue that no State—no State deserves Federal aid, not Wyoming or Alaska, North Dakota, that have each seen sharp declines in tax revenue; not Florida or Nevada or Louisiana, that depend on tourism and face revenue declines of 10 percent or more.

State and local aid is a real and urgent problem. It is not abstract. It is people, and it is workers. PPP that helps small businesses—one of its main rationales, an important one, something I agree with—prevents workers who work for small businesses from being laid off. What is the difference between a worker being laid off by a small business because they don't have funding or a worker being laid off from a State and local government because they don't have funding? There is no difference. There is no difference.

The leader's corporate immunity provision, on the other hand, is a solution, ideological, in search of a problem. Almost a year into this pandemic—15

million Americans infected, 290,000 lives lost to COVID-19—there have been only 23 personal injury suits from exposure to the coronavirus—23 in the entire country, over the entire year. And that is why Senate Republicans can't reach a bipartisan agreement to help the unemployed, feed the hungry, fund a vaccine, or support our schools?

Corporations that want protection from a few dozen lawsuits is equivalent to millions of workers from State and local governments being laid off? Give me a break. Again, there are a few States that don't need the help, but many more States do—many more.

This is mind-boggling. The Republican leadership is blocking a solution for the entire country until they get a favor for corporations who don't even need it. The American people, all of us, are sick of this ridiculous gamesmanship by the majority leader.

We need to come together. We need to get something done. The American people deserve an outcome. It is not going to happen if the Republican majority insists on getting 100 percent of its partisan demands.

I yield the floor.

I, once again, thank the Senator from Oklahoma for his courtesy.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### CORONAVIRUS

Mr. INHOFE. Mr. President, first of all, I did want to get some final comments. I mentioned a minute ago and, of course, it is the right of the leaders—Democratic and Republican leaders—to have the first time. It is fine with me, but I just want to make one comment about it.

The minority leader was talking about what is going on right now and who would be favored and all that. I think one of the things we don't talk about, we should talk about. You know, I know the media doesn't like our President, and a lot of things he has done he didn't get credit for it.

One of the major things—and this is all going to come out—unfortunately, this didn't come out before the election, but it should have because there is—what do they call that? Warp speed? Is that right? Yes, this Operation Warp Speed. This was back in June. The President came out with this. General Perna was put in charge of it.

I wasn't prepared to talk about this, but I think it is important right now that we do because I want to follow up with what the minority leader talked about because everyone is concerned about it. They are all concerned about the coronavirus and those things. This has never happened in this country before. But it has happened. It had nothing to do with this administration. They did a great job. And to demonstrate what a great job they did, they had the Operation Warp Speed—this was back in June of this year—and they put General Perna in charge of it.

I chair the Senate Armed Services Committee. They wanted us to have a

hearing on this. I was so excited. No one could have sat through that hearing last June without coming to the conclusion that this thing is going to be behind us. We are winning this thing. And you come to the conclusion that we are going to have the virus under control. We are going to have this system. We all know that is happening today, right now, as we are speaking. We have several companies—five companies—who have come so close, and they are now distributing the necessary equipment so that people become immune to this thing. That is happening right now.

It happens that even though this was last June—it was last June that we had the hearing in my committee. Everything that they predicted, that General Perna predicted at that time, is happening. They said by December we would have it. Well, here it is, December, and we have got it. And then we said it is going to take about 3 months to be able to make the distribution around the country. And that time is coming up. It is getting close to that time, and that is going to happen. I mean, we are looking right now at April as the time that we have got this thing defeated. And right now, this administration—I want to give them credit for this. They have got this distribution system set up so it is going to be going around the country, and this thing is going to come to an end.

I have to tell you that the President is responsible for putting this in place, and it is, right now, on schedule.

I don't want to take a lot of time. I see that Senator REED has come in. Senator JACK REED is the ranking member on the Senate Armed Services Committee. Let me just tell you, I can't think of anyone I would rather have as a partner in putting together the Defense authorization bill—the most important bill of all year—than Senator JACK REED. He has been there by my side, with me, working together.

We had a Big 4 meeting. We always end up with a Big 4 meeting. To tell you what that is, that is the ranking Democrat and Republican in the House, the Democrat and Republican in the Senate; and the four of us get together and decide what are we going to do, what is this going to look like. And then we pass it. We passed this bill. It is a good bill. It is one that we have the opportunity to vote on today, the most important bill of the year. And if voting against it, you have to stop and think about those kids who are out there in harm's way and the threats that they are facing on a regular basis. This is a problem. This is a serious thing that is out there. I can't imagine wanting to have to face these people in the field, in harm's way, and say: Well, we didn't pass the Defense authorization bill.

We are going to pass it. These kids are going to get the right treatment that they need. They are going to get the resources they need. I did mention just a few minutes ago about the previous administration. I don't want people to misunderstand what I am saying.

I am not saying this critically of the Obama administration. I am saying he didn't have the same priorities that many of us have. His top priority was not defending America, in spite of what the Constitution tells us what should be the top priority. And so we went through that time with—as I mentioned, between the years of 2010 and 2015, 5 years, reduced the funding for the military by 25 percent. At the same time, China was increasing their funding for their military by 83 percent. This is what we looked at, and that is what our President was faced with. And that is why—I don't know who is ill-advising the President to be concerned about an issue that has nothing to do with the military. And I know that the President has been the strongest—I don't know if there has ever been a President who has been a stronger supporter of our military and our kids in harm's way than President Trump. I am just looking at this now, and I am thinking, we are now 1 minute away from passing a bill that is the most significant bill.

At this time, I ask if the minority would like to make any comments at all because I will tell you right now, I mentioned the names of all the people who worked on this bill for the last year, and side by side have been Senator JACK REED and I in the leadership of this bill.

It is going to be a reality.

I want to thank you and give you an opportunity to get a last word in here because we are going to vote on this in less than a minute.

Mr. REED. The last word will be very brief if I am recognized, Mr. President.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. REED. Let me commend the chairman. I don't think we would be here without Chairman INHOFE's leadership. I have never seen anyone work so diligently and so constructively.

We want to thank the staff. They do a remarkable amount of work.

Also, we have to recognize our colleagues in the House—Chairman ADAM SMITH, who did a good job, and Ranking Member MAC THORBERRY, whose name is on this bill.

I urge passage, and I commend the chairman.

Thank you, Mr. President.

Mr. INHOFE. Thank you, Senator REED.

I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### LEGISLATIVE SESSION

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 6395, which the clerk will report.

The senior assistant legislative clerk read as follows:

A conference report to accompany H.R. 6395, an Act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defensive activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. INHOFE. Mr. President, I ask unanimous consent to waive the mandatory quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 6395, an Act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, John Thune, Shelley Moore Capito, Thom Tillis, Roy Blunt, Cory Gardner, Roger F. Wicker, Marsha Blackburn, John Cornyn, Mike Crapo, Pat Roberts, Cindy Hyde-Smith, Kevin Cramer, Richard Burr, James M. Inhofe, Steve Daines, Deb Fischer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 6395, an Act to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mrs. LOEFFLER), and the Senator from South Dakota (Mr. ROUNDS).

The PRESIDING OFFICER (Mrs. FISCHER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 84, nays 13, as follows:

[Rollcall Vote No. 263 Leg.]

#### YEAS—84

Alexander	Fischer	Portman
Baldwin	Gardner	Reed
Barrasso	Gillibrand	Risch
Bennet	Grassley	Roberts
Blackburn	Harris	Romney
Blumenthal	Hassan	Rosen
Blunt	Heinrich	Rubio
Boozman	Hirono	Sasse
Brown	Hoeven	Schatz
Burr	Hyde-Smith	Schumer
Cantwell	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shaheen
Carper	Kaine	Shelby
Casey	Kelly	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Leahy	Tester
Cortez Masto	Manchin	Thune
Cramer	McConnell	Tillis
Crapo	Menendez	Toomey
Daines	Moran	Udall
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Enzi	Murray	Whitehouse
Ernst	Perdue	Wicker
Feinstein	Peters	Young

#### NAYS—13

Booker	Kennedy	Sanders
Braun	Lee	Warren
Cotton	Markey	Wyden
Cruz	Merkley	
Hawley	Paul	

#### NOT VOTING—3

Graham	Loeffler	Rounds
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The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 13.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Oklahoma.

#### UNANIMOUS CONSENT AGREEMENT

Mr. INHOFE. Madam President, I ask unanimous consent that the postcloture time on the conference report to accompany H.R. 6395 expire at 12:30 today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### 2020 ELECTIONS

Mr. MURPHY. Madam President, colleagues, we are in the middle of a whole bunch of really important debates right now about the National Defense Authorization Act, trying to avoid a shutdown by the end of the day, and, of course, trying to find a path forward to authorize funding to continue to combat this pandemic.

But it is worth noting today that an effort to overturn the 2020 election continues and, in many ways, is picking up steam, and we need to talk about the consequences for the Nation.

Democracies are really fragile things. Ours only continues because we make choices so that it can remain. Our government really isn't a piece of paper upon which the Constitution is written. Our government—where voters, citizens, not kings or monarchs or oligarchs, decide who governs—is made possible by a series of decisions that we make every single day to put the rule of law ahead of our own political power or the position of our political party. That is the history of America—our decision that democracy comes first, not the perpetuation of our own political power.

Right now, the most serious attempt to overthrow our democracy in the history of this country is underway. Those who are pushing to make Donald Trump President for a second term, no matter the outcome of the election, are engaged in a treachery against their Nation.

You cannot, at the same time, love America and hate democracy. But as we speak, a whole lot of flag-waving Republicans are nakedly trying to invalidate millions of legal votes because that is the only way they can make Donald Trump President again.

It is the only way they can make Donald Trump President again because he didn't win. Our democracy, the citizens of this country, chose Joe Biden to be President of the United States. He won the popular vote in a landslide, and he won the electoral college by a substantial margin.

But now, Republicans have decided—not all Republicans—but far too many have decided that if democracy can't keep Trump in power, then democracy ceases to have any real purpose because, to Republicans who are supporting these continued efforts to invalidate the election, their loyalty is to Donald Trump, not to the Nation or our system of government. Their No. 1 goal is to keep Trump in power, and if that means throwing out the election and turning America into something other than a democracy in which the voters get to choose their leaders, then so be it.

Here is the latest. This lawsuit is supported by 106 House Republicans. That is more than half of the Republicans who serve in the House of Representatives. It is supported, apparently, by many Senate Republicans as well. This lawsuit is an attempt to overthrow democracy.

Now, you can laugh at it; you can scoff at it; you can suggest that it has no chance to prevail if it reaches the nine Supreme Court Justices. But let's be clear about what it argues, and let's be clear about the consequences for so many elected officials at the highest level of American Government supporting this lawsuit.

What it argues is that the votes in four States—Pennsylvania, Georgia, Wisconsin, and Michigan—should be thrown out because Trump didn't win. It asks for the State legislatures, controlled by Republicans, to appoint elec-

tors instead. Now, there are a bunch of vague, unsourced claims about voter fraud in this lawsuit, but there is not a shred of evidence for these claims. All of the individual lawsuits trying to allege voter fraud, trying to create contests about how laws were modified regarding voting in these States, have all lost.

Importantly, the lawsuit doesn't ask for another canvass or another count; it just asks for the votes in these States to be disregarded and for Republican politicians in these States to make the choice instead.

Already in Pennsylvania, the State legislature's Republican leadership has expressed support for appointing electors who would choose Donald Trump. Let me say that again. This lawsuit says that in Pennsylvania, the State legislature should choose the electors, not the people. And in Pennsylvania, the leadership of the Republican Party in the legislature has expressed support for appointing electors who will choose Donald Trump instead of Joe Biden despite the fact that Joe Biden won the State of Pennsylvania by 80,000 votes—80,000 votes. This isn't 500 votes, like Florida in 2000—80,000 votes.

The request of this lawsuit is clear: Throw out the votes in these four States that Joe Biden won and just give the election to Donald Trump instead.

Some of my Republican Senate colleagues sent out pretty mealy-mouthed statements supporting the general right to count every legal vote and to contest illegal votes, but that is not what this lawsuit is about. It just asks for the whole vote to be thrown out. It asks for every vote in these States to be disregarded.

Other Republicans who haven't signed on to this suit suggest that it won't succeed in the Supreme Court; it is a sideshow, so why really care? Well, we have to care. The majority of Republican Members of Congress believe that Donald Trump should be named President again despite the fact that he lost and lost by a lot. It wasn't close in the popular vote or in the electoral college. We should care because this attempt to overthrow democracy won't be successful this time—Joe Biden is going to be President—but it plainly shows us the direction that the Republican Party is heading, and they control governments in a lot of really important States and jurisdictions.

The majority of Republicans in the House of Representatives apparently believe that if a Democrat wins an election, it is illegitimate by definition. There is no evidence of fraud or stolen votes or vote-rigging in the 2020 election. You can be mad about the fact that States allow for mail-in voting; but Republican and Democratic States allow for it. You can be angry that the majority of those votes this year were cast in favor of Joe Biden in many of these States, but in previous years, the majority of mail-in votes had been favoring Republicans.

But no matter the lack of evidence about voter fraud, Republicans, including the President, have just come to the conclusion that Democrats must have cheated because Democrats are evil, and lots of people show up to Donald Trump rallies. You know, there is just no way that all of these people could have voted for Joe Biden because FOX News and Newsmax and RT—they tell us that Trump is just so popular.

This mindset won't win out this time. Joe Biden is going to be President. But what about next time? What if the next Presidential election is closer? What if 2024 comes down to just one State? It is a lot easier to steal one State. What if these radical anti-Democrats get control of more secretary of state offices or election boards and there is a close race for Governor in 2022 or the U.S. Senate, and these same people who support the Texas lawsuit decide again that there is no way a Democrat could have won our State, and so by definition it has to be fraudulent, despite the lack of evidence, so let's just throw out the result and choose a Republican?

I know this kind of sounds far-fetched, but this is exactly what this lawsuit is asking for. It is asking for the vote to be thrown out in four States and Donald Trump to be named President regardless of the fact that he lost, with no evidence of any voter fraud or illegal behavior.

There is a majority of the U.S. House of Representatives Republican caucus who supports this, so it stands to reason that this won't all of a sudden stop being their position 2 years from now and 4 years from now. If that happens and the voters' will is thrown out—not just in a Presidential election but in a Governor's race or a U.S. Senate race or a congressional race—then our country will no longer be a democracy. If that happens, the American experiment will be done. It will be over.

That is why this moment is so frightening, no matter the fact that it is not going to be successful in an attempt to keep Donald Trump barricaded in the White House. That is why more Republicans than just a handful in this country need to be standing up to this lawsuit and this claim that the vote should be thrown out, because you have a majority of Republicans in this country who believe that Joe Biden won the election fraudulently when there is no evidence that that happened. That belief, as it festers and it grows—this idea that if Democrats win, it has to be because of fraud—it does eventually lead to the voters' will being overturned, and that will be the end of American democracy.

Don't just assume that this system is going to be around for another 240 years. It is a miracle that we have held this together thus far. It is just a series of choices that we make. The Constitution itself is not strong enough, is not durable enough without all of us making a decision that even if we lose an election, even if that means that temporarily our political power is lessened,

that we accept the result because what matters most in this country is what the voters choose, not how it affects us.

It is not enough to just punt here and say “Ah, the President has a right to go to court; let’s just see what happens” because when the overthrow of democracy is beginning and you are sitting on the sidelines, you are a collaborator. And there are way too many high-profile Republicans who march around the world giving speeches about the importance of protecting democracy who are awfully silent when the attempted overthrow is happening in their own country. Nobody can stay silent right now.

There are a lot of other important things happening in the Senate today. I am engaged in those as well. It is true, this effort to overthrow the 2020 election is not going to bear fruit, and so it is tempting to just work on the other things and to ignore this lawsuit and these attempts because this time, it won’t be successful. But all of this effort, supported by so many mainstream Republicans, is setting a precedent and is creating conditions that could easily overthrow the next election. If the Republican Party just allows for this assault on the 2020 election to continue, no matter whether it ultimately is successful, then by 2022 or 2024, I am telling you, it might be too late to save our democracy.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CORONAVIRUS

Mr. CORNYN. Mr. President, since last fall, right after the new year, our country, like the rest of the planet, became embroiled in a pandemic, sending fear, shock, illness, and fatalities. As we tried to respond, we were forced to make hard decisions—I am talking about a collective “we”—in terms of economic activity, children going to school, businesses staying open.

And many businesses simply could not, and many of the workers who worked at those locations simply were out of luck. You can imagine the anxiety and the fear of many Americans who, through no fault of their own, found themselves fearful of the virus and the consequences associated with it, fearful for the possibility that their loved ones—let’s say, a parent or grandparent who is especially vulnerable because of their age or somebody because of their underlying chronic health conditions—were more likely to be a fatality, to lose their life, if they were infected with the virus.

This is something we haven’t experienced perhaps in the last 100 years, since the great flu pandemic at the turn of the last century.

Congress responded the best we could. We knew we had to act quickly,

and we knew we had to act in a big way. I am proud of the fact that, in the face of this pandemic, Congress came together, setting aside partisan agendas, and we passed four pieces of legislation to address, first of all, the public health crisis but, secondly, the economic fallout associated with mitigation efforts. In other words, we did what Americans always do in a time of crisis: We pulled together.

I am proud of what we were able to accomplish. But at the end of March of this year, when we passed the last CARES Act legislation, we didn’t have any idea how long this was going to last. We had no idea that we would be here now in December of 2020 and still grappling with how to contain this virus and dealing with the economic fallout associated with it.

Thank goodness we made a priority of providing resources to our medical scientists and the pharmaceutical industry that have now come up with therapies and treatments which are saving more lives. Fewer people who get the virus are actually dying, thanks to the expertise of our healthcare providers and the therapeutics that they are able to administer—saving many, many lives.

But the golden bullet in all of this is the vaccine. I am hopeful that we in America—that the Food and Drug Administration will promptly, and I expect they will, approve the use of some of the vaccines that have been developed, once it is determined they are safe and effective.

So I think this is like the cavalry arriving, and the cavalry is nearby and will soon be here. Then we will prioritize the people in the country who will get the vaccine, as we should. I think the folks who have been on the frontlines, the so-called essential workers—I tend to think of all work as being essential, but certainly the healthcare providers, the people who had to show up. They couldn’t hunker down at home. They had to show up for work because we needed them to do that in order to protect the rest of us.

But then we ought to go through the elderly, people with underlying health diseases, schoolteachers, and others to help us get our children back to school. The list goes on and on.

But what I am not proud of is the embarrassing insensitivity of our Democratic colleagues, starting with the Senator from New York, the Democratic leader, when it comes to people’s fear about the consequences associated with the pandemic that relate to the liability that may ultimately be imposed upon them because they didn’t guess it right the first time.

I am talking about lawsuits by people who will sue, claiming—I am sure many with some merit—that they have suffered as a result of this virus and attempt to pin the responsibility on some business, some school, some church, some synagogue, some mosque, anywhere where they might have gotten the virus. Anybody with a liability insurance policy, I am sure, will be fair game by the trial lawyers.

And I am not here to disparage members of the legal profession. I happen to be one. But I do know that we ought to be focused on what is the greatest good for the greatest number, and we shouldn’t let the tail wag the dog when it comes to providing commonsense liability protection, which is what brings me to the floor this afternoon.

I heard the Senator from New York give a fevered speech about what he called corporate immunity, as if our desire to provide some predictability and some fairness in the context of civil liability was somehow a desire to protect nameless, faceless corporations. That is wrong, and that is why I came to the floor—to say it is wrong and to explain why it is wrong.

The minority leader tries to frame this as a green light for big, bad businesses to ignore public health guidelines and to put every person who walks through their door in danger of contracting COVID-19. That is a false narrative. That is not true.

For starters, what we have proposed is not blanket immunity. No one wants to give—let’s say somebody is running a meatpacking plant and one of the workers shows up and says: Boss, I don’t feel very good today; I think I may have something. And he says: You shut up; go to work. And they end up having the virus and infect all their peers and fellow employees.

That is reckless and intentional misconduct, and we do not limit lawsuits based on reckless and intentional misconduct at all. So this is not a “get out of jail free” card or whatever you want to call it. This will not protect the people who recklessly put other people in danger of this virus.

In cases of gross negligence or willful misconduct, where the applicable public health guidance is not followed, the person who suffered a harm has every right to sue and be made whole, and no one—no one—wants to change that.

But what we do need to acknowledge is that we are all living through what I hope is a once-in-a-lifetime catastrophe for everybody involved, so I don’t think we should be creating an opportunity for people who want to profit off of this pandemic to do so, particularly when a handful of people will presumably benefit from what the Democratic leader is proposing—no liability shield—and hundreds of millions of Americans will benefit from it.

These are unprecedented times, to be sure, much like we owe the American people more support, and that is part of what is being blocked by the demands of the Democratic leader to eliminate any sort of liability shield. We need to put some safeguards in place to ensure that those who are operating in good faith and following all the relevant public health guidelines cannot be sued out of existence. Imagine if you are a small business, hanging on by a thread. Somehow you have applied for your PPP loan, your paycheck protection loan, and you have been able to hang on to your business and



keep your employees on the payroll—somehow, some way.

Well, if you face the prospect of limitless liability, opportunistic litigation is going to cost you a lot of money and all of your energy just to defend, even if the claim is meritless. You might think twice—probably more than twice—about whether you want to stay in business, whether you want to keep those jobs, whether you want to contribute to our economy.

We need those people. We need those businesses and those jobs. And I am not talking about the trial lawyers. They will be fine. They are not disadvantaged by having to hunker down, wondering where the next paycheck will come from. They will be fine.

But there are a lot of people who are hurting, and it causes me great distress to see us—at least some of us—oblivious to the pain, the anguish, and the desperation of so many Americans.

The number of suicides is up dramatically. The number of reports of child sexual abuse is down because kids aren't going to school where their teachers, hopefully, will be trained to help identify those people.

People are self-medicating with drugs and alcohol. People are suffering mental health crises. And some folks here in Congress act like, that doesn't affect me; it is not my problem. It is shocking to me that there are some who seem to have that approach.

The minority leader knows the facts. When he talks about corporate immunity, he wants to frame it in the most negative light possible, which, of course, is why he said that.

What we are proposing will help people. It will help medical workers, doctors, nurses, aides at hospitals—those who have been on the frontlines trying to save lives. They didn't have any choice but to show up. They didn't ask “Well, are your liability insurance premiums paid up at the hospital?” or “Maybe I need to up my limits because I know I am going to get sued after this.” They didn't ask those kinds of questions; they went and did the job we wanted them to do, and God bless them for it.

What we are proposing will help a lot more people, a lot more organizations. And by that, I mean not just businesses; it will help nonprofits, and it will help restaurants that have tried to follow the guidelines and opened at limited capacity, as they have gotten guidance from the local and State and national officials. This will help everybody.

First, it will help, as I said, our healthcare heroes, the brave men and women who have led in this battle for months. They have made tremendous physical and mental sacrifices to save lives, but without some liability protection from Congress, they could soon find themselves staring down the barrel of a wave of medical malpractice lawsuits.

I hope the minority leader will see why this can't happen. New York State

did. His State acted to provide medical liability protection for healthcare workers in his State. We need to make sure that the kinds of things that his State did for healthcare workers in New York are expanded to include others around the country. We need to ensure that our healthcare workers aren't taken to the cleaners for doing everything in their power in good faith to respond to the crisis.

Again, the protections his State has provided set a willful misconduct or gross negligence standard for coronavirus medical liability suits to ensure that only legitimate cases are brought against healthcare workers in New York. If that is good enough for New Yorkers, for his constituents, why deny the same protection to my constituents or the Presiding Officer's constituents or everybody else who is on the frontlines of fighting this battle during these unprecedented times?

I know the minority leader got a letter this summer from a long list of national medical associations, which represent hundreds of thousands of healthcare workers, calling for these very same types of protections. That letter detailed the challenges these workers were up against and, you can imagine, scarce personal protective equipment.

It would be the easiest thing in the world to blame those healthcare workers for not adequately providing personal protective equipment and somehow contributing to the spread of the disease when we know that due to China's actions—hoarding a lot of the PPE that they themselves manufactured—when they didn't tell the rest of the world that the virus was running rampant in China, they were hoarding that PPE, making it less available to local hospitals and doctors for the benefit of their patients.

So it would be easy to see, now looking back with the benefit of hindsight, that somebody said: Well, you knew or should have known you didn't have adequate PPE to take care of your patients. As my dad always liked to say—he said: Hindsight is 20/20.

That is just one example. These groups who wrote to the Democratic leader said that these physicians and other healthcare professionals are now facing the threat of years of costly litigation due to the extraordinary circumstances. And these are the same institutions, the doctors and the hospitals, that we have sent hundreds of billions of dollars to, and now we want to throw them to the wolves? We can't allow our healthcare heroes to wake up in this pandemic only to find themselves facing a legal nightmare.

But as I have said, it is not just healthcare workers who need our help. The list of organizations and institutions that rely on this legislation is a long one. There are, for example, our public schools, our colleges, our universities, which have tried to adapt in trying circumstances and are trying to allow our K-12 students and our young

people who attend our colleges and universities an opportunity to continue their education safely, to the best of their ability.

A number of national groups representing education leaders, including superintendents, school boards, and other leaders, sent a letter to Senator SCHUMER and other congressional leaders about the urgent need for these protections. They said: “We believe any protections should be limited in scope and preserve recourse for those harmed by truly bad actors who engage in egregious misconduct.” And I agree with that. That is exactly the type of protection we have proposed.

I am looking at a letter—it is dated May 28, 2020—from the American Council on Education which I think does a pretty good job of summing of what I just described, the challenges that our educators and our students and our administrators are facing trying to get back to some semblance of normalcy, because we all understand the importance of providing our next generation of leaders with a good education.

In this letter from ACE, the American Council on Education, Ted Mitchell, its president, writes:

Unfortunately, all colleges and universities, two- and four-year, public and private nonprofit, are facing unprecedented challenges as a result of the COVID-19 pandemic. The impact on the operations and revenues of many institutions has been catastrophic, for some even existential, which has had a terrible ripple effect in communities large and small. The pandemic is also causing massive disruption to students and families. Many are grappling with sudden changes to their financial circumstances.

In the wake of prior crises, Congress came together to pass timely and targeted liability protections with strong bipartisan support because lawmakers understood the acute economic threat of lawsuits at moments of maximum economic vulnerability. While Congress has acted to provide some limited COVID-related liability protections for volunteer healthcare providers and some manufacturers of PPE in the CARES Act, much more needs to be done. While some governors and state legislatures have enacted COVID-19 liability limitations, this is a national problem requiring a national solution.

Mr. President, I ask unanimous consent to have printed in the RECORD this letter following my remarks.

The president and executive director of the American Dental Association wrote a letter thanking the Judiciary Committee for reviewing liability protections and asking Congress to pass these reforms. Similar to the other comments that have been made by other organizations, they said: “While safeguarding their patients, their staff, and themselves from the spread of COVID-19, dental practices must also safeguard their businesses from bad-faith actors pursuing frivolous financial gain for coronavirus injuries.”

We have heard from a long list of groups, and it is not the Fortune 500, like the Democratic leader has proposed. This isn't corporate protection. This is common sense. This is what we have done before—in connection with



Y2K, in connection with 9/11, in connection with providing some limited liability protection to pharmaceutical companies that we depend upon to produce vaccines that will save lives. Those are all examples where Congress has come together with a national response to a national crisis.

We have heard concerns from everything from the U.S. Youth Soccer worried about their volunteers being sued, the American Heart Association worried about their fundraisers, churches worried about their ability to serve their communities with this cloud hanging over their heads. So who is acting in bad faith here? Not the schools. Not the charities. Not the healthcare providers who are calling for the limited protections this legislation would provide. No, it is the trial bar. It is the trial lawyers who are trying to use this pandemic to make money.

I am not here, again, to disparage members of the legal profession. I am just saying, who are we here going to bat for? Are we going to bat for a small group of wealthy lawyers, or are we going to bat for 330 million Americans? That is the choice, it seems to me. And the Democratic leader is carrying water for that wealthy elite minority, the members of the trial bar, by mischaracterizing this effort and blocking relief for his own constituents.

Again, Governor Cuomo apparently was able to do this by some form of executive action, was able to provide some liability protections for medical malpractice lawsuits in New York. I wonder if the Democratic leader would come to the floor and call that corporate protection. No. It made sense. Good for Governor Cuomo, and shame on us if we don't do something similar.

I want to close on another ironic statement by the Democratic leader this morning. He said: The American people deserve an outcome. I agree with that. But he said: It is not going to happen if the Republican majority insists on getting 100 percent of its partisan demands.

Well, we are not insisting on 100 percent, but how about the 80 percent we can agree on? That just makes sense to me. They are the ones who are killing the COVID-19 relief bill by their insistence that no liability protections be included in this bill. It is the Wild Wild West, and they want to keep it just like that.

The Democratic leader has been the one who has held up negotiations over the last several months. By my count, our Democratic leaders have blocked at least three, maybe four pieces of COVID-19 relief. That was at a time when they could have worked with us to make the bills better and to provide timely relief to our constituents, but no—they refused to accept anything short of a partisan, multitrillion-dollar bill that passed the House earlier this year, that NANCY PELOSI knew would never have a prayer of passing because

it included such unrelated matters as tax cuts for millionaires and billionaires in places like New York and California and included diversity studies on the marijuana industry. What in the heck does that have to do with COVID-19? They claimed that anything less than that \$3-trillion white elephant was unworkable, so they gave our efforts the Heisman and allowed the distress from the pandemic to go on for months and months and months while they blocked every attempt to deliver relief to the American people.

Liability protections—commonsense liability protections for a limited period of time, which are not designed to take over State tort law on a permanent basis—we can agree on what the timeframe should be, but liability protections will allow our most important and vulnerable institutions and people to recover from this crisis, and I believe the Democratic leader would be wise to acknowledge that and work with us and get a result.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN COUNCIL ON EDUCATION,

May 28, 2020.

Re COVID-19 Limited Liability Protections.

Representative NANCY PELOSI,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

Senator MITCH MCCONNELL,  
*Majority Leader, U.S. Senate,*  
*Washington, DC.*

Representative KEVIN MCCARTHY,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

Senator CHUCK SCHUMER,  
*Minority Leader, U.S. Senate,*  
*Washington, DC.*

DEAR SPEAKER PELOSI, MINORITY LEADER MCCARTHY, LEADER MCCONNELL, AND MINORITY LEADER SCHUMER: On behalf of the American Council on Education and the undersigned higher education associations, I am writing today to urge you to quickly enact temporary and targeted liability protections related to the COVID-19 pandemic. While these crucial protections are likely necessary for many sectors of the American economy, this letter focuses on the need to safeguard higher education institutions and systems, affiliated nonprofits, and healthcare providers and facilities from excessive and speculative lawsuits arising out of the pandemic.

Encouraging, enabling, and supporting the safe reopening of college and university campuses for in-person learning is essential to educating our nation's future workforce, preserving employment for millions, and helping restart America's economy. As colleges and universities contemplate whether and how to safely reopen this fall, their overriding concern is keeping students, faculty, staff, and local communities safe. These decisions are not premised on making a trade-off between safety and the economy. Nor are institutions of higher education seeking a free pass to avoid responsibility, much less immunize themselves for their own or others' bad acts.

But as colleges and universities assess how quickly and completely campuses can resume full operations, they are facing enormous uncertainty about COVID-19-related standards of care and corresponding fears of huge transactional costs associated with defending against COVID-19 spread lawsuits, even when they have done everything within

their power to keep students, employees, and visitors safe. To blunt the chilling effect this will have on otherwise reasonable decision-making leading to our nation's campuses resuming operations in a safe and sensible manner, we ask that Congress quickly enact temporary COVID-19-related liability protections for higher education institutions and systems, affiliated entities, as well as their faculty, staff and volunteers. These protections should be conditioned on following applicable public health standards, and they should preserve recourse for those harmed by truly bad actors who engage in egregious misconduct.

Colleges and universities, including their health care facilities and research enterprises, are engaged in every sector of critical infrastructure necessary to support American communities. In addition to educating and training our country's future workforce, they provide health services, cultural resources, spectator sports venues, and recreational amenities to their communities. Our medical schools, teaching hospitals, and research labs are working around the clock to find the best treatments and vaccines for COVID-19. Moreover, our higher education institutions maintain full service utilities, telecommunications, and computing networks; they provide housing and food services; and they operate transportation networks, hotels, retail shops, daycares, gyms, and museums. To support this broad array of activities, they directly employ tens of thousands of skilled workers in various trades, from electricians and linemen to plumbers and HVAC technicians; from landscapers and painters to carpenters and fabricators.

Unfortunately, all colleges and universities, two- and four-year, public and private nonprofit, are facing unprecedented challenges as a result of the COVID-19 pandemic. The impact on the operations and revenues of many institutions has been catastrophic, for some even existential, which has had a terrible ripple effect in communities large and small. The pandemic is also causing massive disruption to students and their families. Many are grappling with sudden changes to their financial circumstances.

In the wake of prior crises, Congress came together to pass timely and targeted liability protections with strong bipartisan support because lawmakers understood the acute economic threat of lawsuits at moments of maximum economic vulnerability. While Congress has acted to provide some limited COVID-19-related liability protections for volunteer healthcare providers and some manufacturers of PPE in the CARES Act, much more must be done. While some governors and state legislatures have enacted COVID-19 liability limitations, this is a national problem requiring a national solution.

Higher education's need for temporary and targeted liability protections and relief is clear. Now is the time for Congress to act.

Sincerely,

TED MITCHELL,  
*President.*

On behalf of:

Achieving the Dream, American Association of Colleges of Nursing, American Association of Colleges for Teacher Education, American Association of Collegiate Registrars and Admissions Officers, American Association of Community Colleges, American Association of State Colleges and Universities, American College Health Association, American Council on Education, American Dental Education Association, American Indian Higher Education Consortium, APFA, "Leadership in Educational Facilities", Associated Colleges of the Midwest, Association for Biblical Higher Education,

Association of Advanced Rabbinical and Talmudic Schools, Association of American Colleges and Universities, Association of American Medical Colleges, Association of American Universities, Association of Catholic Colleges and Universities, Association of Community College Trustees.

Association of Governing Boards of Universities and Colleges, Association of Independent California Colleges and Universities, Association of Independent Colleges & Universities of Rhode Island, Association of Independent Colleges and Universities in Massachusetts, Association of Independent Colleges and Universities of Ohio, Association of Independent Colleges and Universities of Pennsylvania (AICUP), Association of Independent Colleges of Art & Design, Association of Jesuit Colleges and Universities, Association of Public and Land-grant Universities, Association of Research Libraries, Association of Vermont Independent Colleges, College and University Professional Association for Human Resource, Commission on Independent Colleges and Universities-NYS, Conference for Mercy Higher Education, Connecticut Conference of Independent Colleges, Council for Advancement and Support of Education, Council for Christian Colleges & Universities, Council of Graduate Schools, Council for Higher Education Accreditation, Council of Independent Colleges, Council of Independent Colleges in Virginia, Council of Independent Nebraska Colleges, EDUCAUSE, Great Lakes Colleges Association.

Hispanic Association of Colleges and Universities, Independent Colleges and Universities of Florida, Independent Colleges and Universities of Missouri, Independent Colleges of Indiana, Independent Colleges of Washington, Kansas Independent College Association, Louisiana Association of Independent Colleges and Universities, Maryland Independent College and University Association, Midwestern Higher Education Compact, Missouri Colleges Fund, Inc., NASPA—Student Affairs Administrators in Higher Education, National Association of College and University Business Officers, National Association of Independent Colleges and Universities, National Association of Schools and Colleges of the United Methodist Church, National Collegiate Athletic Association, Network of Colleges and Universities, Evangelical Lutheran Church in America.

New England Board of Higher Education, North Carolina Independent Colleges and Universities, Northwest Commission on Colleges and Universities, Ohio Foundation of Independent Colleges, Online Learning Consortium, Oregon Community College Association, South Carolina Independent Colleges and Universities, Southern Association of Colleges and Schools Commission on Colleges, Southern Regional Education Board, State Higher Education Executive Officers Association, Tennessee Independent Colleges and Universities Assoc., UNCF (United Negro College Fund, Inc.), UPCEA, Virginia Foundation for Independent Colleges, West Virginia Independent Colleges & Universities, Western Interstate Commission for Higher Education, Wisconsin Association of Independent Colleges and Universities.

H.R. 6395

Mr. LEAHY. Mr. President, the Senate has before it today the result of a compromise. The conference report that will result in the adoption of the National Defense Authorization Act—NDAA—for fiscal year 2021 is neither the bill the Senate approved, nor the one the House passed. I am pleased that this conference report cures many of the problems that led to my vote to

oppose the Senate bill. Specifically, the conference report is void of the authority for funds to support testing of a new nuclear device, which was included in the Senate bill. This sends an important message to the world about Congress's support for U.S. leadership in armed control.

Further, the conference report advances the progress we have made with regard to Vietnam. This NDAA sends a clear message that Congress believes in the importance of cooperation with Vietnam, both to advance our shared security interests and to address some of the worst consequences of that war. The conference report will extend the authorization for the Department of Defense to help decontaminate the Bien Hoa Airbase from the lingering poison of dioxin, and it includes new authorization to help the Government of Vietnam locate and identify some of its hundreds of thousands of MIAs, as they have helped us locate our own MIAs over so many years.

The bill will also help the veterans of that war who were exposed to dioxin. The expansion of presumption of exposure included in this bill will mean that Americans suffering from a number of linked ailments can spend their time seeking treatment, rather than jumping through bureaucratic and legal hoops. For many veterans exposed to airborne toxic substances through burn pits, this bill also includes a number of provisions to make it easier to identify their exposure and for them to make connections needed while seeking medical care. It continues the march towards rectifying the Department of Defense's PFOS/PFOA usage. While there is much to be done in both these areas, this is a positive step forward.

This bill is imperfect, but of particular concern to me is the addition in conference, without proper vetting or evaluation, of several provisions that undermine the Freedom of Information Act, our Nation's premier transparency law. Many of these provisions were in neither the Senate nor the House bill. For a number of years, I have worked in a bipartisan manner with other members of the Judiciary Committee to consult with the Senate Armed Services Committee to provide the feedback and expertise in FOIA matters, as it relates to proposals within the NDAA. That inclusive process, where committees of jurisdiction are consulted on their areas of expertise, has ensured that the NDAA does not become a vehicle for unwise or harmful policies.

This time, however, a number of provisions needlessly piercing holes in FOIA were inserted during conference negotiations without any consultation with the Judiciary Committee. Unsurprisingly, a process that took place behind closed doors resulted in policies undermining the American people's ability to know what their government is doing. Unfortunately, this is slowly becoming a routine prac-

tice, and it must not happen again. I want to put everyone on notice: I will insist that the Judiciary Committee and those of us who worked for many years on these matters are consulted on provisions that fall within the purview of our committee before they are included in the NDAA. That consultation process has produced good outcomes for the American people for years. Let's not change it now.

With these concerns in mind, on balance, this is a defense authorization bill that I will support. It advances our efforts to reconcile with our history and address the naming of our military bases after Confederate generals, something over which the President inexplicably threatened to veto the bill. It rejects the President's demands to repeal section 230 of the Communications Decency Act, something that advances his personal war, but which demands careful consideration and should not be used as hostage bait.

This conference report authorizes over \$740 billion in spending. The defense of our Nation and our international role in providing security and promoting stability demand significant investments. I hope, however, that in future years, Congress will thoughtfully consider the skewed balance of our defense investments against other critical domestic needs. These are difficult questions, but ones that demand debate and honest review.

VOTE ON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is on agreeing to the adoption of the conference report.

Mr. WHITEHOUSE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 13, as follows:

[Rollcall Vote No. 264 Leg.]

YEAS—84

Alexander	Cantwell	Cramer
Baldwin	Capito	Crapo
Barrasso	Cardin	Daines
Bennet	Carper	Duckworth
Blackburn	Casey	Durbin
Blumenthal	Cassidy	Enzi
Blunt	Collins	Ernst
Boozman	Coons	Feinstein
Brown	Cornyn	Fischer
Burr	Cortez Masto	Gardner

Gillibrand	McConnell	Scott (FL)
Grassley	Menendez	Scott (SC)
Hassan	Moran	Shaheen
Heinrich	Murkowski	Shelby
Hirono	Murphy	Sinema
Hoeben	Murray	Smith
Hyde-Smith	Perdue	Stabenow
Inhofe	Peters	Sullivan
Johnson	Portman	Tester
Jones	Reed	Thune
Kaine	Risch	Tillis
Kelly	Roberts	Toomey
King	Romney	Udall
Klobuchar	Rosen	Van Hollen
Lankford	Rubio	Warner
Leahy	Sasse	Whitehouse
Loeffler	Schatz	Wicker
Manchin	Schumer	Young

## NAYS—13

Booker	Kennedy	Sanders
Braun	Lee	Warren
Cotton	Markey	Wyden
Cruz	Merkley	
Hawley	Paul	

## NOT VOTING—3

Graham	Harris	Rounds
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The conference report is agreed to.

The PRESIDING OFFICER. The majority leader.

#### FURTHER CONTINUING APPROPRIATIONS ACT, 2021, AND OTHER EXTENSIONS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 8900.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 8900) making further continuing appropriations for fiscal year 2021, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Mr. SANDERS. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, it is no great secret that the American people understand how far removed the U.S. Congress and both political parties are from their needs. They do polls out there, depending on the month, and Congress gets a 10-percent approval rating, and, on a good day, maybe a 20-percent approval rating.

People understand that, to a shameful degree, what Congress does is worry about the needs of wealthy campaign contributors—both political parties—and turns their backs on the needs of working people.

A few months ago, in Burlington, VT, not far from where I live, they shut down the road so that people could line up in their cars to get emergency food distributed by the Vermont National Guard—hundreds and hundreds of people in Burlington and all over the State of Vermont. And, by the way, Vermont probably is in better shape than most States in this country. We have more hunger in America today than at any time in the modern history of this country. This pandemic has been a disaster not only from a public health perspective but from an economic perspec-

tive, and economists tell us that working families today are in worse shape right now than at any time since the Great Depression.

And it is not just the children in America—the richest country on Earth—who are going hungry. You have millions and millions of families who are scared to death that they are going to be evicted from their homes and join the half a million people in America who are already homeless.

We have half of our population working day to day, living paycheck to paycheck, trying to survive. This Congress must address the economic emergency facing the American people. We cannot go back to our families during the Christmas holidays while tens of millions of families are suffering. They are looking toward us and their government—their government—to provide the emergency assistance that they need.

Yesterday, Senator HAWLEY and I introduced a very simple amendment—not a radical idea. In fact, we are way, way behind what other countries around the world are doing to protect their workers. All that we want to do is to once again provide the same benefits that were provided in the CARES bill that unanimously—unanimously, Democrats, Republicans—President Trump signed it, supported it. We all came together in March to say that every working-class adult in this country would get \$1,200 and their kids would get \$500.

So if you have a husband and wife and two kids, that is 3,400 bucks. Maybe they can use that money to pay a couple of months' rent, buy some food, go to the doctor. We are looking at a horrible pandemic now. You have 90 million people who are uninsured or underinsured. That is all we are asking—to do what we unanimously did in March, to make sure that our unemployed workers get the benefits they need to make sure that working families get that \$1,200 check per person.

Now, I have been here for a while. I am not one of the Members of the Senate who shuts down, does this and does that, and keeps people here for weeks. I don't do that. But this I want to say right now: I am prepared to withdraw my objection at this moment, but I will not be prepared to withdraw an objection next week. We will deal with the financial crisis facing tens of millions of Americans. And if I have anything to say about it—and I guess I do—we are not going to go home for the Christmas holidays unless we make sure that we provide for the millions of families in this country who are suffering.

With that, I would yield to Senator HAWLEY.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Mr. President, reserving the right to object, this is a very simple thing that we are talking about, and I can boil it down real easily.

If the Senate of the United States can find hundreds of billions of dollars

to give to big government and big business, surely it can find some relief for working families and working individuals. And I would just submit to you that it is working families and working people who should be first in line for COVID relief, not last.

That is why the amendment that Senator SANDERS and I have proposed is so common sense—\$1,200 for individuals, \$2,400 for families, \$500 for every child—and as Senator SANDERS rightly said, every Member of this body has voted yes, in favor of this relief before.

What is more, I can't figure who exactly is opposed to it. The President of the United States has said that he is in favor of direct assistance. I thank the majority leader for his own support of direct assistance. The Speaker of the House says she is in favor of direct assistance. And that is why there is no reason why this body should leave next week before we vote on and approve direct assistance to working families.

Now, let me just say one other thing. Let me tell you about a phone call I had with a friend of mine at home when this Congress approved direct assistance back in March. He texted me, and then he called me and he said: I am seeing this news about relief that we are going to maybe get a check. Is that real?

I said: Yeah, that is real.

He said: Well, I don't know. I am worried about taking it. I mean, what if we spend the money? I mean, we could use the money, but what if we spend it, and I can't pay it back? You know, it comes back and now I have got to pay it back?

I said: You don't have to pay it back. It is relief, because you need it, because you are working. This is a guy who works in concrete. That is his business.

And he said: Are you serious, now? You are serious that we can keep this money? I can use this for my family.

I said: That is exactly what it is for.

And his comment to me was—his words were: Man, this is a godsend.

There are families like that not just all over Missouri, not just all over Vermont, but all over this Nation, and they are in need today like they were in need in March. It is incumbent upon this body to act, and we should not leave until we do that.

So having reserved the right to object, today, I do not object.

I yield the floor.

Mr. SANDERS. Mr. President, I withdraw my objection.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Without objection, it is so ordered.

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill was ordered to a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time the question is, Shall the bill pass?

The bill (H.R. 8900) was passed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HAWLEY). Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO PAT ROBERTS

Mr. DURBIN. Mr. President, I join my colleagues in thanking Senator PAT ROBERTS of Kansas for his service to his State and our Nation.

Years ago, PAT ROBERTS and I served together on the House Agriculture Committee. We now serve together on the Senate Agriculture Committee. From our earliest days working together in House until today, PAT ROBERTS has been a consistent champion of Kansans and of farmers and people in small towns and rural communities across America.

Through his leadership, Senator ROBERTS has shepherded eight bipartisan farm bills into law. Farmers say that farm bills give them the certainty that they can count on. Farmers could rely on PAT ROBERTS for that certainty too.

PAT ROBERTS not only has worked to address the day-to-day challenges of agriculture, he also worked to prepare American farmers and ranchers for the future. From the creation of the Foundation for Food and Agriculture Research in the 2014 farm bill to protecting agriculture from disease by modernizing and building the National Bio and Agro-Defense Facility in Kansas, Senator ROBERTS knew the value in investing in research. Most recently, he joined me in the America Grows Act to increase Federal investments in basic USDA research across the board.

There is no doubt that Senator ROBERTS' legacy will reap benefits for years. But his commitment to rural communities didn't stop with farmers. In April 2018, I met with Illinois EMS

advocates. We talked about how rural EMS are on the frontlines in delivering quality emergency response, service coordination, and patient care. They spoke about how they were responding to the opioid epidemic and treating the emergency needs of an aging population. I became convinced that Congress needed to find a way to support rural EMS agencies with Federal funding so they could better serve their communities, but I needed a partner for it. The solution was obvious. I found Senator ROBERTS in the Senate gym and pitched him on the bill.

Within a few weeks, we introduced the Supporting and Improving Rural EMS Needs, or SIREN, Act. Senator DEBBIE STABENOW joined as a partner to the bill, and we started working hard to pass it. The SIREN Act was included in the 2018 farm bill. And this past summer, the first grant award went to Illinois when our healthcare providers needed it most for this pandemic.

For four decades, Senator ROBERTS has been a significant part of Federal agriculture policy. He is the only lawmaker to have chaired both the House and Senate Agriculture Committees. Farm bills don't happen without bipartisanship, and PAT's legacy of bipartisanship is something we should honor in the future.

It has been an honor and privilege, working with him. I will miss his bipartisan spirit and his dry wit. I wish him, his wife Franki, and their family happiness in his next chapter.

#### RECOGNIZING THE WORLD FOOD PROGRAMME RECIPIENT OF THE 2020 NOBEL PEACE PRIZE

Mr. DURBIN. Mr. President, this week's Nobel Peace Prize celebration in Oslo, Norway, is honoring the United Nations World Food Programme for its efforts to combat hunger, for its contributions to bettering conditions for peace in conflict-affected areas and for acting as a driving force in efforts to prevent the use of hunger as a weapon of war and conflict.

I am proud to add my voice in congratulating this deeply important organization and the thousands of its heroic and courageous staff on this well-deserved honor.

In 1961, President Eisenhower called on the United Nations to address hunger, leading to the creation of the World Food Programme. Since then, the World Food Programme has provided lifesaving help in some of the world's most difficult places and conditions.

The United States remains a strong partner of the World Food Programme and one of its biggest funders. During my time in the Senate, I joined several of my colleagues such as the late Senator Dick Lugar and Senator BOB CASEY in strong bipartisan support for the organization and related efforts to combat hunger at home and abroad.

Today, the World Food Programme is the world's largest humanitarian orga-

nization and the leading global agency delivering food assistance in emergencies and working with communities to improve nutrition and build resilience. It provides more than 15 billion meals to 100 million people in more than 80 countries each year. Through war zones, floods, famines, and earthquakes, the World Food Programme is on the ground for those most in need, a ray of hope in the lives of the most vulnerable. It has truly earned recognition as "the world's first responder," as noted by U.N. Secretary General António Guterres.

Like all first responders, it did not hesitate to answer the call when the COVID-19 pandemic hit earlier this year. The COVID-19 pandemic has disrupted every sector of life all over the world, adding another level of hardship on those in the midst of conflict and poverty and potentially doubling the number of people facing acute hunger to 270 million. But since the start of this emergency, the World Food Programme has continued providing relief to children and families in the mounting crisis.

While the need for food relief has drastically increased during the pandemic, hunger has long been used a tactic in conflicts around the world. Food supply chains are disrupted or humanitarian aid is restricted, essentially starving innocent civilians caught in the crossfire. In turn, starvation leads to more conflict over scarce resources. The link between food insecurity and conflict is clear: one fuels the other. And it is also clear that helping populations with emergency relief and long-term sustainability prevents millions of people from experiencing the horrors of starvation as a tactic of war and conflicts from erupting out of the desperation of hunger. Not only is it a moral responsibility to aid the world's most vulnerable, but it is in the best interest of the international community for a more secure world.

The World Food Programme is one of the best examples of the good that comes from global cooperation. From our American farmers working alongside farmers all over the world, to the staff on the ground, it takes many to help feed the world's poor. No country alone would be able to reach every corner of the globe, especially in the most entrenched of conflicts such as Yemen, Syria, and South Sudan. It is critical that the United States continues to support the World Food Programme, and I will continue to work to ensure that Congress provides the funds to do so.

While the global COVID pandemic is a setback in feeding the world, I am confident that the World Food Programme will help lead the way to alleviating the suffering. I again congratulate the World Food Programme and all of its staff for their courageous efforts.

## VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a rollcall vote on H.R. 8900, the Further Continuing Appropriations Act, 2021, I would have voted no.

## ADDITIONAL STATEMENTS

## TRIBUTE TO JOSEPH T. MCELVEEN

• Mr. SCOTT of South Carolina. Mr. President, today I would like to take a moment to recognize and honor Mayor Joseph T. McElveen of Sumter, SC. Mayor McElveen served in the U.S. Air Force after graduating from the Citadel in 1968 and from the University of South Carolina Law School in 1971.

Mayor McElveen has served on the city council, as a member of the S.C. House of Representatives for Sumter County, and now is retiring after serving as mayor of Sumter. He has dedicated over 20 years of his life to serving the great people of Sumter and has seen prosperity and growth come to Sumter County firsthand.

I want to thank Mayor McElveen for his service and for emulating in his life what it means to be a public servant.●

## REMEMBERING DONALD LEE CLARK

• Mr. TESTER. Mr. President, I rise today to honor a great man and Montanan.

Donald Lee Clark was a soldier, husband, father, professor, author, and mentor who loved, lived, and learned for all of his 90 years.

He tested positive for COVID-19 on November 28, 2020, and died 7 days later. At a time when it is easy to be a cynic, Clark was unusually optimistic, surrounding himself with family and friends who admired and loved him.

Throughout his accomplished life in the Air Force, where he served our Nation as a colonel, Clark never lost sight of making time to enjoy the world or people around him. He earned a 3rd degree black belt in Judo from the Kodokan Judo College while stationed in Japan. He learned to scuba dive as an attache in the Soviet Union in hopes of diving in the world's deepest lake. He taught himself to ride a unicycle just for the fun of it and took up skiing in his 40s while living in New Hampshire as a research fellow at the Fletcher School of Law and Diplomacy at Tufts University. He skied the Alps while serving as an action officer assigned to the joint staff in the Office of International Negotiations.

He was born in Dallas, TX, to Victor and Sheppard Clark. Don is survived by his wife of 65 years Patricia Conway Clark, their two sons Brian and his wife Marie of Kalispell, Darren and his wife Myrna of Rancho Santa Margarita, CA, and three grandsons Kellin Clark and his wife Lauren Fox of Washington, DC, and Ryan Clark and Kevin Clark of California. He was preceded in death by his older sister Delores.

Don and his sister were raised in Dallas by their single mother Sheppard. He attended Southern Methodist University on theology and ROTC scholarships and graduated with a degree in sociology. He later earned his masters in political science from George Washington University while in the Air Force.

He met and later married the love of his life Patricia Conway in 1955 at Perkins Chapel on the campus of Southern Methodist University. After graduating from SMU, Clark began his military service career, which included assignments around the U.S. and the world.

During his military career, he served in the Strategic Air Command as a B29 navigator, Air Training Command, Security Service, and Intelligence. Most of his 23-year military career was focused on intelligence. He was a Soviet specialist for numerous U.S. delegations including the Strategic Arms Limitation Talks, Law of the Seas, and Mutual and Balanced Force Reductions.

He retired from the Air Force as a colonel in 1974 and moved his family from DC to Bozeman to ski at Bridger Bowl and become the assistant to the president at Montana State University. Six years later, he became the director of international education where he also taught courses in political science. He later started MSU's International Education programs while teaching classes in international affairs. While at MSU, he wrote a weekly newspaper column for several Montana dailies, excerpts from which were sometimes broadcast over Voice of America. His writings also appeared in "Skiing" magazine, the Air University Review, the "Alternative," and Defense Analysis.

After 20 years of teaching at MSU, Clark retired again and moved with Patricia to Flathead Lake just outside of Bigfork, MT. In his retirement, Clark started writing fiction and published several novels intertwining his passion for politics, world affairs and the human condition. In his 70s, Clark also volunteered his time to numerous community groups. Clark joined CASA—Court Appointed Special Advocates—and became a key volunteer working with families and children in need. He served on the State advisory board for CASA and on the United Way and Red Cross advisory boards in Montana.

Don was never a victim in life or in death, but his loss is his final teaching moment. Even as his mind was fading with Alzheimers, he maintained his positive attitude. He never failed to tell his family how proud he was, how much he loved them, and what a wonderful life he had lived. Don will be missed.●

## MESSAGE FROM THE HOUSE

At 12:58 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 906. An act to improve the management of driftnet fishing.

S. 3257. An act to designate the facility of the United States Postal Service located at 311 West Wisconsin Avenue in Tomahawk, Wisconsin, as the "Elnar 'Sarge' H. Ingman, Jr. Post Office Building".

S. 3461. An act to designate the facility of the United States Postal Service located at 2600 Wesley Street in Greenville, Texas, as the "Audie Murphy Post Office Building".

S. 3462. An act to designate the facility of the United States Postal Service located at 909 West Holiday Drive in Fate, Texas, as the "Ralph Hall Post Office".

S. 4126. An act to designate the facility of the United States Postal Service located at 104 East Main Street in Port Washington, Wisconsin, as the "Joseph G. Demler Post Office".

S. 4684. An act to designate the facility of the United States Postal Service located at 440 Arapahoe Street in Thermopolis, Wyoming, as the "Robert L. Brown Post Office".

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 970. An act to direct the Secretary of the Interior to develop a plan for the removal of the monument to Robert E. Lee at the Antietam National Battlefield, and for other purposes.

H.R. 1240. An act to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen.

H.R. 4988. An act to designate the facility of the United States Postal Service located at 14 Walnut Street in Bordentown, New Jersey, as the "Clara Barton Post Office Building".

H.R. 5040. An act to direct the Director of the Bureau of Land Management to study the effects of drone incursions on wildfire suppression, and for other purposes.

H.R. 5123. An act to designate the facility of the United States Postal Service located at 476 East Main Street in Galesburg, Illinois, as the "Senior Airman Daniel Miller Post Office Building".

H.R. 5451. An act to designate the facility of the United States Postal Service located at 599 East Genesee Street in Fayetteville, New York, as the "George H. Bael Post Office Building".

H.R. 5458. An act to modify the boundary of the Rocky Mountain National Park, and for other purposes.

H.R. 5459. An act to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and for other purposes.

H.R. 5562. An act to designate the facility of the United States Postal Service located at 4650 East Rosedale Street in Fort Worth, Texas, as the "Dionne Phillips Bagsby Post Office Building".

H.R. 5972. An act to designate the facility of the United States Postal Service located at 500 Delaware Avenue, Suite 11 in Wilmington, Delaware, as the "Marv Ann Shadd Cary Post Office".

H.R. 5983. An act to designate the facility of the United States Postal Service located at 4150 Chicago Avenue in Riverside, California, as the "Woodie Rucker-Hughes Post Office Building".

H.R. 6016. An act to designate the facility of the United States Postal Service located at 14955 West Bell Road in Surprise, Arizona, as the "Marc Lee Memorial Post Office Building".

H.R. 6161. An act to designate the facility of the United States Postal Service located at 158S Yanceyville Street, Greensboro,

North Carolina, as the “J. Howard Coble Post Office Building”.

H.R. 6418. An act to designate the facility of the United States Postal Service located at 509 Fairhope Avenue in Fairhope, Alabama, as the “William ‘Jack’ Jackson Edwards III Post Office Building”.

H.R. 7088. An act to designate the facility of the United States Postal Service located at 111 James Street in Reidsville, Georgia, as the “Senator Jack Hill Post Office Building”.

H.R. 7098. An act to expand the boundary of Saguaro National Park, to authorize a study of additional land for potential inclusion in the park, and for other purposes.

H.R. 7489. An act to authorize the Secretary of the Interior to convey to the Commonwealth of Virginia or the District of Columbia certain Federal land under the administrative jurisdiction of the National Park Service for the construction of rail and other infrastructure, and for other purposes.

H.R. 7502. An act to designate the facility of the United States Postal Service located at 101 South 16th Street in Clarinda, Iowa, as the “Jessie Field Shambaugh Post Office Building”.

H.R. 7810. An act to designate the facility of the United States Postal Service located at 3519 East Walnut Street in Pearland, Texas, as the “Tom Reid Post Office Building”.

H.R. 8611. An act to designate the facility of the United States Postal Service located at 4755 Southeast Dixie Highway in Port Salerno, Florida, as the “Joseph Bullock Post Office Building”.

H.R. 8906. An act to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to life-span respite care.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 51. Concurrent resolution correcting the enrollment of S. 1869.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1130. An act to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1503) to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section SOS(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5663) to amend the Federal Food, Drug, and Cosmetic Act to give authority to the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to destroy counterfeit devices.

The message further announced that the House has agreed to the amendment of the Senate to the text of the bill (H.R. 5273) to require the Secretary of Homeland Security to develop a plan to increase to 100 percent the rates of scanning of commercial and passenger vehicles entering the United States at land ports of entry along the border using large-scale non-intrusive inspection systems to enhance border

security, and for other purposes, and that the House has agreed to the amendment of the Senate to the title of the aforementioned bill.

#### ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

S. 134. An act to amend title 18, United States Code, with regard to stalking.

S. 199. An act to provide for the transfer of certain Federal land in the State of Minnesota for the benefit of the Leech Lake Band of Ojibwe.

S. 578. An act to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 1014. An act to establish the Route 66 Centennial Commission, and for other purposes.

S. 1153. An act to explicitly make unauthorized access to Department of Education information technology systems and the misuse of identification devices issued by the Department of Education a criminal act.

S. 2258. An act to provide anti-retaliation protections for antitrust whistleblowers.

S. 2904. An act to direct the Director of the National Science Foundation to support research on the outputs that may be generated by generative adversarial networks, otherwise known as deepfakes, and other comparable techniques that may be developed in the future, and for other purposes.

S. 2981. An act to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 3703. An act to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

S. 4902. An act to designate the United States courthouse located 351 South West Temple in Salt Lake City, Utah, as the “Orrin G. Hatch United States Courthouse”.

H.R. 473. An act to authorize the Every Word We Utter Monument to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 1830. An act to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Hall of Honor.

H.R. 2246. An act to designate the facility of the United States Postal Service located at 201 West Cherokee Street in Brookhaven, Mississippi, as the “Deputy Donald William Durr, Corporal Zach Moak, and Patrolman James White Memorial Post Office Building”.

H.R. 2454. An act to designate the facility of the United States Postal Service located at 123 East Sharpfish Street in Rosebud, South Dakota, as the “Ben Reifel Post Office Building”.

H.R. 2969. An act to designate the facility of the United States Postal Service located at 1401 1st Street North in Winter Haven, Florida, as the “Althea Margaret Daily Mills Post Office Building”.

H.R. 3005. An act to designate the facility of the United States Postal Service located at 13308 Midland Road in Poway, California, as the “Ray Chavez Post Office Building”.

H.R. 3275. An act to designate the facility of the United States Postal Service located at 340 Wetmore Avenue in Grand River, Ohio, as the “Lance Corporal Andy ‘Ace’ Nowacki Post Office”.

H.R. 3680. An act to designate the facility of the United States Postal Service located at 415 North Main Street in Henning, Tennessee, as the “Paula Croom Robinson and Judy Spray Memorial Post Office Building”.

H.R. 3847. An act to designate the facility of the United States Postal Service located

at 117 West Poythress Street in Hopewell, Virginia, as the “Reverend Curtis West Harris Post Office Building”.

H.R. 3870. An act to designate the facility of the United States Postal Service located at 511 West 165th Street in New York, New York, as the “Normandia Maldonado Post Office Building”.

H.R. 4034. An act to designate the facility of the United States Postal Service located at 602 Pacific Avenue in Bremerton, Washington, as the “John Henry Turpin Post Office Building”.

H.R. 4200. An act to designate the facility of the United States Postal Service located 321 South 1st Street in Montrose, Colorado, as the “Sergeant David Kinterknecht Post Office”.

H.R. 4279. An act to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the “Melinda Gene Piccotti Post Office”.

H.R. 4672. An act to designate the facility of the United States Postal Service located at 21701 Stevens Creek Boulevard in Cupertino, California, as the “Petty Officer 2nd Class (SEAL) Matthew G. Axelson Post Office Building”.

H.R. 4725. An act to designate the facility of the United States Postal Service located at 8585 Criterion Drive in Colorado Springs, Colorado, as the “Chaplain (Capt.) Dale Goetz Memorial Post Office Building”.

H.R. 4761. An act to ensure U.S. Customs and Border Protection officers, agents, and other personnel have adequate synthetic opioid detection equipment, that the Department of Homeland Security has a process to update synthetic opioid detection capability, and for other purposes.

H.R. 4785. An act to designate the facility of the United States Postal Service located at 1305 U.S. Highway 90 West in Castroville, Texas, as the “Lance Corporal Rhonald Dain Rairdan Post Office”.

H.R. 4875. An act to designate the facility of the United States Postal Service located at 2201 E. Maple Street in North Canton, Ohio, as the “Lance Cpl. Stacy ‘Annie’ Dryden Post Office”.

H.R. 4971. An act to designate the facility of the United States Postal Service located at 15 East Market Street in Leesburg, Virginia, as the “Norman Duncan Post Office Building”.

H.R. 4975. An act to designate the facility of the United States Postal Service located at 1201 Sycamore Square Drive in Midlothian, Virginia, as the “Dorothy Braden Bruce Post Office Building”.

H.R. 5062. An act to designate the facility of the United States Postal Service located at 9930 Conroy Windermere Road in Windermere, Florida, as the “Officer Robert German Post Office Building”.

H.R. 5307. An act to designate the facility of the United States Postal Service located at 115 Nicol Avenue in Thomasville, Alabama, as the “Postmaster Robert Ingram Post Office”.

H.R. 5317. An act to designate the facility of the United States Postal Service located at 315 Addicks Howell Road in Houston, Texas, as the “Deputy Sandeep Singh Dhaliwal Post Office Building”.

H.R. 5954. An act to designate the facility of the United States Postal Service located at 108 West Maple Street in Holly, Michigan, as the “Holly Veterans Memorial Post Office”.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).



## MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 970. An act to direct the Secretary of the Interior to develop a plan for the removal of the monument to Robert E. Lee at the Antietam National Battlefield, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4988. An act to designate the facility of the United States Postal Service located at 14 Walnut Street in Bordentown, New Jersey, as the "Clara Barton Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5123. An act to designate the facility of the United States Postal Service located at 476 East Main Street in Galesburg, Illinois, as the "Senior Airman Daniel Miller Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5451. An act to designate the facility of the United States Postal Service located at 599 East Genesee Street in Fayetteville, New York, as the "George H. Bacer Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5458. An act to modify the boundary of the Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5459. An act to authorize the Secretary of the Interior to correct a land ownership error within the boundary of Rocky Mountain National Park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5562. An act to designate the facility of the United States Postal Service located at 4650 East Rosedale Street in Fort Worth, Texas, as the "Dionne Phillips Bagsby Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5972. An act to designate the facility of the United States Postal Service located at 500 Delaware Avenue, Suite 1, in Wilmington, Delaware, as the "Mary Ann Shadd Cary Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5983. An act to designate the facility of the United States Postal Service located at 4150 Chicago Avenue in Riverside, California, as the "Woodie Rucker-Hughes Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6161. An act to designate the facility of the United States Postal Service located at 1585 Yanceyville Street, Greensboro, North Carolina, as the "J. Howard Coble Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6418. An act to designate the facility of the United States Postal Service located at 509 Fairhope Avenue in Fairhope, Alabama, as the "William 'Jack' Jackson Edwards III Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 7088. An act to designate the facility of the United States Postal Service located at 111 James Street in Reidsville, Georgia, as the "Senator Jack Hill Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 7098. An act to expand the boundary of Saguaro National Park, to authorize a study of additional land for potential inclusion in the park, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7489. An act to authorize the Secretary of the Interior to convey to the Com-

monwealth of Virginia or the District of Columbia certain Federal land under the administrative jurisdiction of the National Park Service for the construction of rail and other infrastructure, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7502. An act to designate the facility of the United States Postal Service located at 101 South 16th Street in Clarinda, Iowa, as the "Jessie Field Shambaugh Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 7810. An act to designate the facility of the United States Postal Service located at 3519 East Walnut Street in Pearland, Texas, as the "Tom Reid Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 8611. An act to designate the facility of the United States Postal Service located at 4755 Southeast Dixie Highway in Port Salerno, Florida, as the "Joseph Bullock Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 5014. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-6102. A communication from the Deputy Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Swap Execution Facility Requirements" (RIN3038-AE94) received in the Office of the President of the Senate on December 8, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6103. A communication from the Branch Chief of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the American Burying Beetle From Endangered to Threatened With a Section 4(d) Rule" (RIN1018-BD46) received in the Office of the President of the Senate on December 8, 2020; to the Committee on Environment and Public Works.

EC-6104. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; CY2021 Payment Policies Under the Physician Fee Schedule and Other Changes to Part B Payment Policies; Medicare Shared Savings Program Requirements; Medicaid Promoting Interoperability Program Requirements for Eligible Professionals; Quality Payment Program; Coverage of Opioid Use Disorder Services Furnished by Opioid Treatment Programs; Medicare Enrollment of Opioid Treatment Programs; Electronic Prescribing for Controlled Substances for a Covered Part D Drug; Payment for Office/Outpatient Evaluation and Management Services; Hospital IQR Program; Establish New Code Categories; Medicare Diabetes Prevention Program (MDPP) Expanded Model Emergency Policy; Coding and

Payment for Virtual Check-in Services Interim Final Rule Policy; Coding and Payment for Personal Protective Equipment (PPE) Interim Final Rule Policy; Regulatory Revisions in Response to the Public Health Emergency (PHE) for COVID-19; and Finalization of Certain Provisions from the March 31st, May 8th, and September 2nd Interim Final Rules in Response to the PHE for COVID-19" (RIN0938-AU10, RIN-0938-AU31, RIN0938-AU32, and RIN0938-AU33) received in the Office of the President of the Senate on December 8, 2020; to the Committee on Finance.

EC-6105. A communication from the Regulations Coordinator, Office of the Assistant Secretary for Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Regulatory Clean Up Initiative" (RIN0991-AC19) received in the Office of the President of the Senate on December 8, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC-6106. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled "the Jamie Zapata Federal Officers and Employees Protection Act of 2020"; to the Committee on the Judiciary.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. LOEFFLER (for herself, Mr. CRAPO, and Mr. RUBIO):

S. 5011. A bill to codify the Minority Business Development Agency of the Department of Commerce, and for other purposes; to the Committee on Finance.

By Mrs. LOEFFLER (for herself and Mr. COTTON):

S. 5012. A bill to amend chapter 110 of title 18, United States Code, to provide for criminal and civil liability for an interactive computer service that willfully or recklessly promotes or facilitates child exploitation, to amend section 230 of the Communications Act of 1934, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 5013. A bill to amend requirements for awarding the National Medal of Science, the National Medal of Arts, and the National Technology and Innovation Medal, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 5014. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. BROWN, Mr. GRAHAM, Mr. JONES, Mr. RUBIO, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. SMITH):

S. Res. 800. A resolution congratulating the National Urban League on 110 years of service empowering African Americans and other underserved communities while helping to foster a more just, equitable, and inclusive United States; to the Committee on the Judiciary.



## ADDITIONAL COSPONSORS

S. 1257

At the request of Mr. CRAMER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1257, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts to include rollovers for charitable life-income plans for charitable purposes.

S. 2561

At the request of Mr. BLUMENTHAL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 3072

At the request of Mrs. HYDE-SMITH, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3072, a bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of new abortion drugs, to prohibit investigational use exemptions for abortion drugs, and to impose additional regulatory requirements with respect to previously approved abortion drugs, and for other purposes.

S. 3103

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3103, a bill to amend title XVIII of the Social Security Act to restore State authority to waive for certain facilities the 35-mile rule for designating critical access hospitals under the Medicare program.

S. 3612

At the request of Mr. CORNYN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 3612, a bill to clarify for purposes of the Internal Revenue Code of 1986 that receipt of coronavirus assistance does not affect the tax treatment of ordinary business expenses.

S. 3643

At the request of Mrs. LOEFFLER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 3643, a bill to amend title 38, United States Code, to authorize certain postgraduate health care employees and health professions trainees of the Department of Veterans Affairs to provide treatment via telemedicine, and for other purposes.

S. 3741

At the request of Ms. SMITH, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 3741, a bill to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide coverage for services furnished via telehealth if such services would be covered if furnished in person during the COVID-19 emergency.

S. 3792

At the request of Ms. SMITH, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 3792, a bill to require parity in the coverage of mental health and substance use disorder services provided to enrollees in private insurance plans, whether such services are provided in-person or through telehealth.

S. 3814

At the request of Mr. YOUNG, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3814, a bill to establish a loan program for businesses affected by COVID-19 and to extend the loan forgiveness period for paycheck protection program loans made to the hardest hit businesses, and for other purposes.

S. 3998

At the request of Mrs. HYDE-SMITH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3998, a bill to amend title XVIII of the Social Security Act to simplify payments for telehealth services furnished by Federally qualified health centers or rural health clinics under the Medicare program, and for other purposes.

S. 4117

At the request of Mr. CRAMER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4117, a bill to provide automatic forgiveness for paycheck protection program loans under \$150,000, and for other purposes.

S. 4154

At the request of Mr. CRAMER, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 4154, a bill to amend the Bank Service Company Act to provide improvements with respect to State banking agencies, and for other purposes.

S. 4433

At the request of Mr. CORNYN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 4433, a bill to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 4439

At the request of Ms. SMITH, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 4439, a bill to require any COVID-19 drug developed in whole or in part with Federal support to be affordable and accessible by prohibiting monopolies and price gouging, and for other purposes.

S. 4461

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 4461, a bill to provide for a period of continuing appropriations in the event

of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

S. 4757

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 4757, a bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes.

S. 4986

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of S. 4986, a bill to prevent an unintended drop in Social Security benefits due to COVID-19 and the application of the National Average Wage Index, and improve Social Security and Supplemental Security Income benefits on an emergency basis.

S. RES. 578

At the request of Mr. WYDEN, the names of the Senator from Georgia (Mrs. LOEFFLER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 578, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

## SUBMITTED RESOLUTIONS

# SENATE RESOLUTION 800—CONGRATULATING THE NATIONAL URBAN LEAGUE ON 110 YEARS OF SERVICE EMPOWERING AFRICAN AMERICANS AND OTHER UNDERSERVED COMMUNITIES WHILE HELPING TO FOSTER A MORE JUST, EQUITABLE, AND INCLUSIVE UNITED STATES

Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. BROWN, Mr. GRAHAM, Mr. JONES, Mr. RUBIO, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. SMITH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 800

Whereas the National Urban League—

(1) was founded in 1910 by Mrs. Ruth Standish Baldwin and Dr. George Edmund Haynes as a multiracial, diverse, and grassroots campaign;

(2) is a nonpartisan and historic social service and civil rights organization based in New York City; and

(3) is dedicated to economic empowerment, equality, and social justice for African Americans and other historically underserved groups;

Whereas 8 leaders have been at the helm of the National Urban League during its 110-year history, including—

(1) Dr. George Edmund Haynes between 1910 and 1918;

(2) Eugene Kinckle Jones between 1918 and 1941;

(3) Lester B. Granger between 1941 and 1961;

(4) Whitney M. Young, Jr. between 1961 and 1971;

(5) Vernon E. Jordan, Jr. between 1971 and 1981;

(6) John E. Jacob between 1982 and 1994;  
(7) Hugh B. Price between 1994 and 2003;  
and

(8) Marc H. Morial since 2003;

Whereas the 8 leaders of the National Urban League were strengthened by an interracial board of trustees comprised of key figures from businesses in the United States, labor unions, community organizations, and religious and academic institutions;

Whereas the National Urban League—

(1) is the oldest and largest community-based organization of its kind in the United States; and

(2) provides direct services in the areas of education, health care, housing, jobs, and justice that improve the lives of more than 2,000,000 individuals across the United States;

Whereas the employees of the headquarters of the National Urban League in New York City and its Washington Bureau in Washington, D.C., spearhead the efforts of the local affiliates of the National Urban League through the development of signature programs, public policy research, and advocacy;

Whereas, on its 110th anniversary, the National Urban League can look back with great pride on its extraordinary accomplishments;

Whereas the research arm of the National Urban League—

(1) was established in 1921 by renowned researcher Dr. Charles S. Johnson; and

(2) has released numerous publications, including *Opportunity: Journal of Negro Life* between 1923 and 1949, *State of Black America* since 1976, and other pertinent studies documenting and elevating social consciousness;

Whereas, in 1962, the Washington Bureau of the National Urban League was established, which serves as the research, policy, and advocacy arm of the National Urban League and gives voice to voiceless individuals on issues before Congress and the administration of the President;

Whereas, during the 1960s, the National Urban League—

(1) became a major force in the civil rights arena and worked closely with A. Phillip Randolph, Dr. Martin Luther King, Jr., and many other exceptional leaders to advance civil rights, voting rights, and fair housing legislation; and

(2) saw tremendous growth in its partnership with the Federal Government to address race relations, deliver aid to urban areas, and improve housing, education, healthcare, and assistance to minority-owned businesses;

Whereas, in 1964, the National Urban League, through its affiliate network, helped register more than 500,000 Black voters;

Whereas, in 1972, the Citizenship Education department of the National Urban League was established, which offers local citizenship education programs, voter registration drives, and get out the vote campaigns;

Whereas the Citizenship Education department published the *Power of the Ballot*, registered 75,000 new Black voters as part of a 17-city voter registration drive, and, in 2020, has intensified efforts to register Black voters get out the vote and challenge voter suppression;

Whereas the 90 local affiliates and 11,000 volunteers of the National Urban League, which are located in 36 States and the District of Columbia, provide services across 300 communities;

Whereas the signature programs of the National Urban League—

(1) are evidence-based, data-informed, and scalable; and

(2) demonstrably enhance the economic and educational status of the communities the programs serve;

Whereas, since 2004, the Entrepreneurship Center Program, which is a part of the En-

trepreneurship and Business Services division of the National Urban League, has served approximately 185,000 minority-owned businesses, helped those businesses secure more than \$1,000,000,000 in financing, bonding capacity, and contracting opportunities, and created or saved more than 170,000 full-time and part-time jobs;

Whereas, since 2008, more than 315,000 individuals have received assistance through the Comprehensive Housing Counseling and Financial Empowerment programs of the Housing and Community Development division of the National Urban League;

Whereas Restore Our Homes, which is the foreclosure prevention initiative of the National Urban League, has helped more than 25,000 individuals avoid foreclosure, and the Home Purchase program of the National Urban League has assisted 7,200 individuals to become first-time homeowners;

Whereas, since 2008, Project Ready, which is the signature program of the Education and Youth Development division of the National Urban League, has helped 18,000 students in grades 8 through 12 progress academically, benefit from cultural enrichment opportunities, and develop important skills, attitudes, and aptitudes that position them for success during and after high school;

Whereas, since 2010, the Equity and Excellence Project of the National Urban League has enabled the affiliates of the National Urban League to expand their education advocacy and engagement work in cities and States across the United States;

Whereas, in 2013, the Rebuild America Initiative, which is a program of the Workforce Development division of the National Urban League, has helped more than 250,000 unemployed and underemployed adults, including young adults, reentry adults, and mature adults, to secure full-time employment or career advancement opportunities;

Whereas the National Urban League—

(1) has been a leader in the United States in the fight against unfair laws and economic and racial inequality; and

(2) is dedicated to eradicating social and economic injustices through the development of programs, public policy research, and advocacy for policies and services that close equality and equity gaps;

Whereas, through the work of the Equitable Justice and Democracy Program, the National Urban League advocates for justice and fairness for all individuals through the removal of unjust systemic barriers in the criminal justice system of the United States, the protection of voting rights, and the preservation of freedoms to fully participate in the democracy and civic processes of the United States;

Whereas, throughout 110 years of service, the National Urban League has been pivotal in improving the lives of millions of African Americans and individuals who are members of other underserved communities by helping those individuals to combat poverty, achieve civil rights, and gain economic prosperity; and

Whereas the National Urban League remains an essential organization today: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the National Urban League on 110 years of service empowering African Americans and other underserved communities while helping to foster a more just, equitable, and inclusive United States;

(2) expresses deep gratitude for the hard-working and dedicated men and women of the National Urban League and the affiliates and auxiliaries of the National Urban League, who, for more than 110 years, have challenged unjust systems and broken down economic and social barriers; and

(3) commends the ongoing and tireless efforts of the National Urban League to continue—

(A) addressing racial and economic inequality; and

(B) fighting for the rights of all people of the United States to live with freedom, dignity, and prosperity.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2704. Mr. McCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 4764, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

## TEXT OF AMENDMENTS

**SA 2704.** Mr. McCONNELL (for Mr. ALEXANDER) proposed an amendment to the bill H.R. 4764, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Timely Reauthorization of Necessary Stem-cell Programs Lends Access to Needed Therapies Act of 2020” or the “TRANSPLANT Act of 2020”.

### SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL TRANSPLANTATION PROGRAM.

(a) ADVISORY COUNCIL MEETINGS.—Subsection (a) of section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended by adding at the end the following new paragraph:

“(7) The Secretary shall convene the Advisory Council at least two times each calendar year.”.

(b) INCREASING COLLECTION.—

(1) TECHNICAL CLARIFICATION.—Effective as if included in the enactment of Public Law 114-104 (the Stem Cell Therapeutic and Research Reauthorization Act of 2015), the amendment to section 379(d)(2)(B) of the Public Health Service Act (42 U.S.C. 274k(d)(2)(B)) in section 2(a)(2) of Public Law 114-104 is amended by inserting “goal of increasing collections of high quality” before “cord blood units.”.

(2) ELIMINATING DEADWOOD.—Subparagraph (B) of section 379(d)(2) of the Public Health Service Act (42 U.S.C. 274k(d)(2)) is amended by striking the second and third sentences in such subparagraph.

(c) PERIODIC REVIEW OF STATE OF SCIENCE.—Section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended by adding at the end the following new subsection:

“(o) PERIODIC REVIEW OF STATE OF SCIENCE.—

“(1) REVIEW.—Not less than every two years, the Secretary, in consultation with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, the Administrator of the Health Resources and Services Administration, the Advisory Council, and other stakeholders, where appropriate given relevant expertise, shall conduct a review of the state of the science of using adult stem cells and birthing tissues to develop new types of therapies for patients, for the purpose of considering the potential inclusion of such new types of therapies in the Program.

“(2) RECOMMENDATIONS.—Not later than June 30, 2024, the Secretary shall—

“(A) complete the second review required by paragraph (1); and

“(B) informed by such review, submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives recommendations on the appropriateness of the inclusion of new types of therapies in the Program.”.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended by striking “\$33,000,000 for fiscal year 2015 and \$30,000,000 for each of fiscal years 2016 through 2020” and inserting “\$30,000,000 for each of fiscal years 2021 through 2025”.

### SEC. 3. CORD BLOOD INVENTORY.

Subsection (g) of section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended to read as follows:

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there is authorized to be appropriated \$23,000,000 for each of fiscal years 2021 through 2025.”.

### SEC. 4. ADVANCING THE FIELD OF REGENERATIVE MEDICINE.

Section 402 of the Public Health Service Act (42 U.S.C. 282) is amended by adding at the end the following:

“(o) **REGENERATIVE MEDICINE.**—The Director of NIH shall, as appropriate, continue to consult with the directors of relevant institutes and centers of the National Institutes of Health, other relevant experts from such institutes and centers, and relevant experts within the Food and Drug Administration, to further the field of regenerative medicine using adult stem cells, including autologous stem cells, therapeutic tissue engineering products, human cell and tissue products, human gene therapies, and genetically modified cells.”.

### SEC. 5. GAO REPORT ON REGENERATIVE MEDICINE WORKFORCE.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that assesses a specialized health care workforce in the field of regenerative medicine. The report shall include—

(1) an overview of the current employment levels, in both commercial and academic settings, for—

(A) positions necessary for the collection and transplantation of stem cell therapeutics, including bone marrow and cord blood; and

(B) positions in the field of regenerative medicine using adult stem cells and related to product development;

(2) the identification of gaps, if any, in the projected workforce capacity for—

(A) positions described in paragraph (1)(A); and

(B) the field of regenerative medicine using adult stem cells, including workforce gaps related to the development of new cellular therapies using adult stem cells;

(3) an overview of the availability of training programs related to the development, refinement, and utilization of adult stem cells, including training on good manufacturing practices for such activities, and the performance of such programs; and

(4) recommendations, if any, for improving the workforce capacity related to—

(A) the positions described in paragraph (1)(A); or

(B) the field of regenerative medicine using adult stem cells.

### MEASURE READ THE FIRST TIME—S. 5014

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The bill clerk read as follows:

A bill (S. 5014) to amend title 31, United States Code, to provide for automatic continuing resolutions.

Mr. MCCONNELL. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

### SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the senior Senator from Alaska and the senior Senator from Nebraska be authorized to sign duly enrolled bills or joint resolutions on Friday, December 11.

The PRESIDING OFFICER. Without objection, it is so ordered.

### HBCU PROPELLING AGENCY RELATIONSHIPS TOWARDS A NEW ERA OF RESULTS FOR STUDENTS ACT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the message to accompany S. 461.

The PRESIDING OFFICER. The Chair lays before the Senate the message from the House.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 461) entitled “An Act to strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, and for other purposes.”, do pass with an amendment.

### MOTION TO CONCUR

Mr. MCCONNELL. Mr. President, I move to concur in the House amendment, and I know of no further debate on the motion.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the motion to concur.

The motion was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TIMELY REAUTHORIZATION OF NECESSARY STEM-CELL PROGRAMS LENDS ACCESS TO NEEDED THERAPIES ACT OF 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate proceed to the immediate consideration of H.R. 4764, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 4764) to reauthorize the Stem Cell Therapeutic and Research Act of 2005, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Alexander substitute amendment at the desk be considered agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2704) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Timely Reauthorization of Necessary Stem-cell Programs Lends Access to Needed Therapies Act of 2020” or the “TRANSPLANT ACT of 2020”.

### SEC. 2. REAUTHORIZATION OF THE C.W. BILL YOUNG CELL TRANSPLANTATION PROGRAM.

(a) **ADVISORY COUNCIL MEETINGS.**—Subsection (a) of section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended by adding at the end the following new paragraph:

“(7) The Secretary shall convene the Advisory Council at least two times each calendar year.”.

(b) **INCREASING COLLECTION.**—

(1) **TECHNICAL CLARIFICATION.**—Effective as if included in the enactment of Public Law 114-104 (the Stem Cell Therapeutic and Research Reauthorization Act of 2015), the amendment to section 379(d)(2)(B) of the Public Health Service Act (42 U.S.C. 274k(d)(2)(B)) in section 2(a)(2) of Public Law 114-104 is amended by inserting “goal of increasing collections of high quality” before “cord blood units.”.

(2) **ELIMINATING DEADWOOD.**—Subparagraph (B) of section 379(d)(2) of the Public Health Service Act (42 U.S.C. 274k(d)(2)) is amended by striking the second and third sentences in such subparagraph.

(c) **PERIODIC REVIEW OF STATE OF SCIENCE.**—Section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended by adding at the end the following new subsection:

“(o) **PERIODIC REVIEW OF STATE OF SCIENCE.**—

“(1) **REVIEW.**—Not less than every two years, the Secretary, in consultation with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, the Administrator of the Health Resources and Services Administration, the Advisory Council, and other stakeholders, where appropriate given relevant expertise, shall conduct a review of the state of the science of using adult stem cells and birthing tissues to develop new types of therapies for patients, for the purpose of considering the potential inclusion of such new types of therapies in the Program.

“(2) **RECOMMENDATIONS.**—Not later than June 30, 2024, the Secretary shall—

“(A) complete the second review required by paragraph (1); and

“(B) informed by such review, submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the

House of Representatives recommendations on the appropriateness of the inclusion of new types of therapies in the Program.”.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended by striking “\$33,000,000 for fiscal year 2015 and \$30,000,000 for each of fiscal years 2016 through 2020” and inserting “\$30,000,000 for each of fiscal years 2021 through 2025”.

#### **SEC. 3. CORD BLOOD INVENTORY.**

Subsection (g) of section 2 of the Stem Cell Therapeutic and Research Act of 2005 (42 U.S.C. 274k note) is amended to read as follows:

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there is authorized to be appropriated \$23,000,000 for each of fiscal years 2021 through 2025.”.

#### **SEC. 4. ADVANCING THE FIELD OF REGENERATIVE MEDICINE.**

Section 402 of the Public Health Service Act (42 U.S.C. 282) is amended by adding at the end the following:

“(o) **REGENERATIVE MEDICINE.**—The Director of NIH shall, as appropriate, continue to consult with the directors of relevant institutes and centers of the National Institutes of Health, other relevant experts from such institutes and centers, and relevant experts within the Food and Drug Administration, to further the field of regenerative medicine using adult stem cells, including autologous stem cells, therapeutic tissue engineering products, human cell and tissue products, human gene therapies, and genetically modified cells.”.

#### **SEC. 5. GAO REPORT ON REGENERATIVE MEDICINE WORKFORCE.**

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that assesses a specialized health care workforce in the field of

regenerative medicine. The report shall include—

(1) an overview of the current employment levels, in both commercial and academic settings, for—

(A) positions necessary for the collection and transplantation of stem cell therapeutics, including bone marrow and cord blood; and

(B) positions in the field of regenerative medicine using adult stem cells and related to product development;

(2) the identification of gaps, if any, in the projected workforce capacity for—

(A) positions described in paragraph (1)(A); and

(B) the field of regenerative medicine using adult stem cells, including workforce gaps related to the development of new cellular therapies using adult stem cells;

(3) an overview of the availability of training programs related to the development, refinement, and utilization of adult stem cells, including training on good manufacturing practices for such activities, and the performance of such programs; and

(4) recommendations, if any, for improving the workforce capacity related to—

(A) the positions described in paragraph (1)(A); or

(B) the field of regenerative medicine using adult stem cells.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. McCONNELL. I know of further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4764), as amended, was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **ORDERS FOR MONDAY, DECEMBER 14, 2020**

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, December 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, following leader remarks, the Senate proceed to executive session and resume consideration of the Kirsch nomination; finally, that cloture motions filed during today’s session ripen at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### **ADJOURNMENT UNTIL MONDAY, DECEMBER 14, 2020, AT 3 P.M.**

Mr. McCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:22 p.m., adjourned until 3 p.m. on Monday, December 14, 2020.

# Daily Digest

## HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 6395, National Defense Authorization Act.

Senate passed H.R. 8900, Further Continuing Appropriations Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S7433–S7451*

**Measures Introduced:** Four bills and one resolution were introduced, as follows: S. 5011–5014, and S. Res. 800. **Page S7447**

#### Measures Passed:

**Further Continuing Appropriations Act:** Senate passed H.R. 8900, making further continuing appropriations for fiscal year 2021, after agreeing to the motion to proceed. **Pages S7443–44**

**TRANSPLANT Act:** Senate passed H.R. 4764, to reauthorize the Stem Cell Therapeutic and Research Act of 2005, after agreeing to the following amendment proposed thereto: **Pages S7450–51**

McConnell (for Alexander) Amendment No. 2704, in the nature of a substitute. **Pages S7450–51**

#### Conference Reports:

**National Defense Authorization Act:** By 84 yeas to 13 nays (Vote No. 264), Senate agreed to the conference report to accompany H.R. 6395, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S7437–43**

During consideration of this measure today, Senate also took the following action:

By 84 yeas to 13 nays (Vote No. 263), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the conference report to accompany the bill. **Page S7437**

#### House Messages:

**HBCU PARTNERS Act:** Senate concurred in the House amendment to S. 461, to strengthen the capacity and competitiveness of historically Black col-

leges and universities through robust public-sector, private-sector, and community partnerships and engagement. **Page S7450**

**Signing Authority–Agreement:** A unanimous-consent agreement was reached providing that the Senior Senator from Alaska and the Senior Senator from Nebraska be authorized to sign duly enrolled bills or joint resolutions on Friday, December 11, 2020. **Page S7450**

**Kirsch II Nomination—Cloture:** Senate began consideration of the nomination of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit. **Page S7434**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, December 11, 2020, a vote on cloture will occur at 5:30 p.m., on Monday, December 14, 2020. **Page S7434**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7434**

A unanimous-consent agreement was reached providing that Senate resume consideration of the nomination at approximately 3 p.m., on Monday, December 14, 2020; and that the cloture motions filed on Friday, December 11, 2020, ripen at 5:30 p.m., on Monday, December 14, 2020. **Page S7451**

**Crytzer Nomination—Cloture:** Senate began consideration of the nomination of Katherine A. Crytzer, of Tennessee, to be United States District Judge for the Eastern District of Tennessee. **Page S7434**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the

Senate, a vote on cloture will occur upon disposition of the nomination of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit. **Pages S7434–35**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S7434**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S7434**

**Messages from the House:** **Pages S7445–46**

**Measures Referred:** **Page S7447**

**Measures Read the First Time:** **Page S7447**

**Executive Communications:** **Page S7447**

**Additional Cosponsors:** **Page S7448**

#### Statements on Introduced Bills/Resolutions:

**Pages S7448–49**

#### Additional Statements:

**Page S7445**

#### Amendments Submitted:

**Pages S7449–50**

**Record Votes:** Two record votes were taken today. (Total—264) **Pages S7437, S7442–43**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 2:22 p.m., until 3 p.m. on Monday, December 14, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7451.)

### *Committee Meetings*

*(Committees not listed did not meet)*

No committee meetings were held.

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## House of Representatives

### *Chamber Action*

The House was not in session today. The House is scheduled to meet in Pro Forma session at 1:30 p.m. on Monday, December 14, 2020.

### *Committee Meetings*

No hearings were held.

### *Joint Meetings*

No joint committee meetings were held.

#### COMMITTEE MEETINGS FOR MONDAY, DECEMBER 14, 2020

*(Committee meetings are open unless otherwise indicated)*

##### Senate

No meetings/hearings scheduled.

##### House

No hearings are scheduled.

*Next Meeting of the SENATE*

3 p.m., Monday, December 14

*Next Meeting of the HOUSE OF REPRESENTATIVES*

1:30 p.m., Monday, December 14

## Senate Chamber

**Program for Monday:** Senate will resume consideration of the nomination of Thomas L. Kirsch II, of Indiana, to be United States Circuit Judge for the Seventh Circuit, with a vote on the motion to invoke cloture thereon at 5:30 p.m.

## House Chamber

**Program for Monday:** House will meet in Pro Forma session at 1:30 p.m.



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